

The
Sellers and
Wampole
Families

862



No. CS71. S467 1903



PRESENTED BY

EDWIN JAQUETT SELLERS,

800-803 BETZ BUILDING,

PHILADELPHIA, PA.



David W. Peck

PARTIAL GENEALOGY
OF THE
Sellers and Wampole
Families
OF PENNSYLVANIA

BY
EDWIN JAQUETT SELLERS



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1903

Sellers

I. 1. PHILIP HENRY SELLERS was born in 1704, at Weinheim, Germany. This date is obtained from the records of Indian Creek Church, Franconia township, Montgomery County, Pennsylvania, where it is stated he died in 1769, aged sixty-five years. Weinheim, a small town lying at the union of the valleys of Gorbheim and Birkman, is the most important town on the Bergstrasse; it is situate ten and a half miles from Mannheim. Philip Henry spelled his surname *Söller*, but, for uniformity, the present spelling will be adopted, unless the name be otherwise spelled in quotations. The arrival of Philip Henry in Pennsylvania is recorded in "Colonial Records of Pennsylvania," Vol. III, page 332, and "Immigrants in Pennsylvania," by I. Daniel Rupp, page 13, as follows:

"Sep. 11, 1728. A number of Palatines, with their families, about ninety, imported in the ship 'James Goodwill,' David Crockat, Master, from Rotterdam, last from Deal, whence she sailed June 15th."

The name of "Philip Henrich Söller" appears in the list. The same reference appears in "Pennsylvania Archives," Second Series, Vol. XVII, page 15.

Philip Henry Sellers was married before coming here. The surname of his wife has not been ascertained, although her Christian name was Catharina. Several of their children were also born in Germany.

Colonial Records, Vol. III, page 282:

"At a Council held at the Courtho. of Philada., September. 21st, 1727—

Present :

The Honble Patrick Gordon, Esqr., Lieut. Governour.

James Logan,	William Fishbourn,	} Esq'srs.
Richard Hill,	Clement Plumstead,	
Isaac Norris,		

The Governour acquainted the Board, that he had called them together at this time to inform them that there is lately arrived from Holland, a ship with four hundred Palatines, as 'tis said, and that he has information they will be very soon followed by a much greater number, who design to settle in the back parts of this Province; and as they transport themselves without any leave obtained from the Crown of Great Britain, and settle themselves upon the Proprietor's untaken-up lands without any application to the Proprietor or his Commissioners of Property, or to the Government in general, it would be highly necessary to concert proper measures for the peace and security of the Province, which may be endangered by such numbers of strangers daily poured in, who being ignorant of our language and laws, and settling in a body together, make, as it were, a distinct people from his Majestie's subjects.

The Board taking the same into their serious consideration, observe, that as these people pretended at first that they fly hither on the score of their religious liberties, and come under the protection of His Majesty, it is requisite that in the first place they should take the Oath of Allegiance, or some equivalent to it to His Majesty, and promise fidelity to the Proprietor and obedience to our established Constitution; And, therefore, until some proper remedy can be had from Home, to prevent the importation of such numbers of strangers into this or others of His Majesties Colonies.

'Tis Ordered, that the Masters of the Vessels importing them shall be examined whether they have any leave granted them by the Court of Britain for the importation of these foreigners, and that a list shall be taken of the names of

all these people, their several occupations, and the places from whence they come, and shall be further examined touching their intentions in coming hither; and further, that a Writing be drawn up for them to sign declaring their allegiance and subjection to the King of Great Britain and fidelity to the Proprietary of this Province, and that they will demean themselves peaceably towards all His Majesties subjects, and strictly observe, and conform to the Laws of England and of this Government."

Ibid., page 283.

"At a Council held at the Courtho. of Philada., Septemr. 21st, 1727—

Present:

The Honble Patrick Gordon, Esqr., Lieut. Governour.

James Logan, William Fishbourn, Richard Hill, Esq'rs.

A paper being drawn up to be signed by those Palatines, who should come into this Province with an intention to settle therein, pursuant to the Order of this Board, was this day presented, read and approved, and is in these words:

We subscribers, natives and late inhabitants of the Palatinate upon the Rhine and places adjacent, having transported ourselves and families into this Province of Pensilvania, a colony subject to the Crown of Great Britain, in hopes and expectation of finding a retreat and peaceable settlement therein, do solemnly promise and engage, that we will be faithful and bear true allegiance to His present Majesty King George the Second, and his successors Kings of Great Britain, and will be faithful to the Proprietor of this Province; and that we will demean ourselves peaceably to all His said Majesties subjects, and strictly observe and conform to the Laws of England and of this Province, to the utmost of our power and best of our understanding."

Ibid., page 332:

"At a Council held in the Courtho. of Philada., Sep. 11, 1728—

Present :

The Hon. Patrick Gordon, Esq., Lieut. Gov., Thomas Lawrence Esq., with others of the City Magistrates.

A list was presented of the names of forty two Palatines, who with their families, making in all about ninety persons, were imported here in the ship 'James Goodwill,' David Crockat, Master, from Rotterdam, but last from Deal, as by Clearance from the officers of the Customs there, bearing date the fifteenth day of June, 1728. It appeared there was no special license granted for their transportation: they were then called in, and having declared that they were come hither with intention to settle & live peaceably in this Province, the several persons whose names are subjoined, did repeat and sign the Declaration inserted in the Minute of the 21st of September last."

The name of "Philip Hendrick Seller" appears in the list. (See "Colonial Records," Vol. II, page 493.)

Philip Henry Sellers, after spending a short while at Philadelphia and Skippack, purchased a tract on the North Branch of the Perkiomen. The deed is recorded at Doylestown, Bucks County, Pennsylvania, in Liber No. 9, page 1. It is dated Aug. 24, 1735. The grantors were Peter Snyder, of Bucks County, yeoman, and Catharine, his wife. The land conveyed was situate in Bucks aforesaid, "Beginning at a post at a corner of Abraham James' land, thence extending by land of James Robeson southwest one hundred and twenty-eight perches to a post thence by the lands of Henry Walmsley and William Briggs Northwest two hundred and fifty-two perches to a post thence by a line of marked trees Northeast one hundred and fifty perches to a marked black oak sapling thence by a line of marked trees South east *South east* sixty-seven perches to a stone on the North side of the North Branch of Perkiomen Creek thence down the same branch to a marked hickory thence crossing the creek Southeast eight perches to a hickory marked at a corner of the said

Abraham James' land thence by the same land South east one hundred and sixty perches to the place of beginning." Containing two hundred acres.

This land is further referred to in Liber No. 30, page 250, recorded at the same place, wherein it appears that April 30, 1782, Henry Sellers, of Rockhill township, Bucks County, Pennsylvania, and Elizabeth, his wife, convey to Samuel Detweiler, of the same place, one hundred and thirty-three acres and seventy perches, being part of the tract conveyed to Philip Henry Sellers by Peter Snyder referred to in the former conveyance. Philip Henry, by his will dated April 27, 1766, appointed his son John Sellers and Henry Berkey Executors, with power to sell the real estate. The executors, by deed dated June 11, 1771, conveyed the foregoing two hundred acres to Abraham Stout, who, June 30, 1771, conveyed the same to Henry Berkey, who, March 24, 1772, conveyed one hundred and three acres one hundred and twenty perches thereof unto the said Henry Sellers, and, by another deed dated November 20, 1772, the said Berkey conveyed thirty acres and fifty perches additional to the said Henry Sellers.

Pennsylvania Archives, Second Series, Vol. II, page 347 :

"Persons naturalized in Pennsylvania.

PENNSYLVANIA, }
Secretary's office. }

In pursuance of an Act of Parliament made in the thirteenth year of the Reign of his present Majesty King George the Second, entitled An Act for naturalizing such foreign Protestants, and others therein mentioned, as are settled or shall settle in any of his Majesty's colonies in America.

At a Supreme Court held at Philadelphia for the Province of Pennsylvania, Before Jeremiah Langhorne, Thomas Graeme and Thomas Griffiths, Esqrs., Judges of the said Court, the 25th, 26th & 27th days of September, in the year of our Lord one thousand seven hundred and forty,

between the hours of nine and twelve of the clock in the forenoon of the same days, the following persons, being foreigners and having inhabited and resided the space of seven years and upwards in his Majesty's Colonies in America, and not having been absent out of some of the said colonies for a longer space than two months, at any one time, during the said seven years, and having produced to the said Court certificates of their having taken the Sacrament of the Lord's Supper in some Protestant or Reformed Congregation in this Province within three months before the said Court, took and subscribed the oaths, and did make and repeat the declaration prescribed by the said act to entitle them to the benefit thereof and thereby became natural born subjects of Great Britain, as the same is certified into this office by the Judges of the said Court, viz :

Person's names.	Of what place.	Time of taking the sacrament.
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(Page 348) Philip Henrich Seller. Bucks Co. Sep. 22, 1740."

Philip Henry Sellers died in 1769, aged sixty-five years, and is buried in the graveyard of Indian Creek Church, Franconia, Bucks County, Pennsylvania. (See records of church and tombstone.) He was survived by his wife, who appears to have died in 1773, her will having been probated that year. It is assumed she was buried at the same place, although no tombstone appears. The will of Philip Henry Sellers is on file at Philadelphia and is recorded in Liber O, folio 398. It is dated April 27, 1766, and was probated July 28, 1769. He is styled as "Philip Henry Seller of Rockhill township *Yeoman* in the County of Bucks and Province of Pennsylvania," although he signs it as "Philip Henrich Söller." He bequeaths certain money due him by his son John to his wife Catharina and also an additional sum from the sale of his real and personal estate, which he orders to be sold. He orders the residue of his estate to be equally divided among his ten children, to wit,

Philip, whom he describes as his eldest son, Leonard, Henry, John, Paul, Peter, Jacob, Elizabeth, wife of Henry Burggy, Magdalena, wife of Henry Brunner, and Margaret. He appoints his son John and his son-in-law Henry Burggy executors. The witnesses were Andreas Rieth, Samuel Detweiler, and Abraham Stout.

The will of Catharina, widow of Philip Henry Sellers, is also on file at Philadelphia and is recorded in Liber P, folio 414. It is dated February 5, 1770, and was probated May 26, 1773. She is styled as "Catharina Seller of the Township of Rockhill in the County of Bucks and Province of Pennsylvania, widow;" she also signs as "Catharina Seller." She bequeaths her real and personal estate to her children equally, all of whom she mentions, and agreeing with those mentioned in her husband's will. She also mentions "the children" of her daughter Elizabeth, but does not name them, to whom she bequeaths her property equally with her children. She appoints her son "Philip Seller" executor. The witnesses were Johannes Behner and Abraham Stout.

Philip Henry Sellers and Catharina, his wife, had issue :

2. Philip.
3. Leonard, of Hilltown township, Bucks Co., Pa., d. Aug. 24, 1805. (Records of Indian Creek Ch.)
4. Philip Henry, of same place, b. 1730 : d. Mar. 25, 1783. (Ibid.)
5. John, of same place, b. 1732 ; d. Jan. 7, 1783. (Ibid.)
6. Paul, settled in Maryland.
7. Peter, of Hilltown township, b. 1736 ; d. Feb. 17, 1820. (Ibid.)
8. Jacob, settled in Juniata, formerly Mifflin Co., Pa.
9. Elizabeth, m. Henry Burggy. (This may not be the proper spelling.)
10. Magdalena, m. Henry Brunner.
11. Margaret.

II. 2. PHILIP SELLERS, eldest son of Philip Henry Sellers (1) and his wife Catharina, was born at Weinheim, Germany, in 1724, and came to America with his father in 1728. He settled in Saucon township, Northampton County, Pennsylvania. The surname of his wife is unknown, although her Christian name was Barbara.

Deeds recorded at Easton, Pennsylvania:

Liber B, Vol. 1, page 37. Apr. 3, 1765. William Allen, of Phila., Esquire, to Phillip Seller, of Upper Saucon township, Northampton Co., Pa., Farmer. Conveyance of land in Upper Saucon township, beginning at a hickory and extending thence West thirty chains to a post thence South twenty-five chains to a white oak thence East thirty chains to an elder and thence North twenty-five chains to the place of beginning, Containing seventy-five acres, being bounded by the lands of Christian Diepe, Jacob Bechtel, Abraham Bachman, John Bachman, Henry Bronfelt, and George Clements. Said piece of land was part of a larger tract surveyed to the said William Allen in right of his purchase of ten thousand acres from William Penn the Younger.

Liber F, Vol. 3, page 213. July 2, 1765. Henry Brunner, of Upper Saucon township, Northampton County, Pa., yeoman, and Mary Magdalena, his wife, to Philip Seller, of same place, yeoman. Conveyance of two tracts of land in said township, one of them beginning at a post thence by land of one Poydleman South fifty-eight perches to a stone thence by manor land East fifty-four perches to a stone in a line of Peter Korlye's land thence by the same North thirty-one perches to a stone and East one hundred and eight perches to a stone thence by land of George Bechtel North twenty-one perches to a post a corner of George Marsteller's and thence North eighty-eight degrees West one hundred and sixty-two perches to the place of beginning, Containing thirty-two acres and one hundred and twenty-six perches.

The other lot beginning at an elder tree for a corner

of land late of Jacob Bachman thence extending by the same North one hundred and twelve perches to a hickory tree thence by land of John George Bachman East ten perches to a post in a line of Christian Bachman's land thence by the same the four following courses and distances, viz.: South fifty-two perches to a maple North eighty-seven degrees East seventeen perches to a hickory South fifteen degrees West twenty-eight perches to a stone and South three degrees West thirty-three perches to a stone in a line of George Bechtel's land thence by the same West eight perches to the place of beginning, containing seven acres.

Liber B, Vol. 3, page 404. June 2, 1794. Philip Seller, of Upper Saucon township, Northampton Co., Pa., yeoman, and Barbara, his wife, to George Holtzshub, of Penn township of same County. Conveyance of land in Penn township, beginning at a white oak sapling thence by land now or late vacant South twenty-four degrees East seventy perches to a stone South sixty-eight degrees West one hundred and ninety-eight perches to a stone North fifty-one degrees West one hundred and twenty-four perches to a stone North fifty-seven degrees East one hundred and eighteen perches to a stone and East one hundred and fifty-two perches to place of beginning, containing one hundred and forty-two acres and thirty-two perches. Being the same land which James Funston and Lucie, his wife, and John Funston and Mary, his wife, by their joint deed dated June 10, 1788, conveyed to Philip Seller in fee.

He died October 6, 1808, aged eighty-four years, according to the records of Indian Creek Church, consequently he was born in 1724. He is said to have been buried in the church-yard of the same church, and also several of his children.

The records at Easton, Pennsylvania, record that letters of administration were granted upon the estate of Philip Sellers, October 17, 1808, to Philip Sellers and John Gei-

singer, Jr., the sureties being Jacob Hartzell and Philip Newcomer, all of Upper Saucon township, the widow, Barbara Sellers, having filed renunciation October 15, 1808.

There was a proceeding in partition of the real estate of Philip Sellers which is recorded in the Orphans' Court at Easton in Liber VIII, folio 204. At a Court held November 21, 1809, the petition was presented of Philip "Seller," third son of Philip "Seller," late of Upper Saucon township, Northampton (now Lehigh) County, yeoman, deceased, setting forth that the petitioner's father died intestate leaving a widow, Barbara, and issue, the petitioner, John, George, Abraham, David, Jacob, William, Isaac, Catharine, wife of Abraham Darstone, Elizabeth, wife of John Brunner, since deceased, leaving issue Margaret, wife of John Brunner, Polly, widow of Henry Rohr, Eve, wife of Philip Hittle, Susanna, and Hannah, wife of John Geisinger; that said intestate left three tracts of land, situate in Upper Saucon township, one containing thirty acres and one hundred and twenty-six perches, another containing seven acres, and the third containing seventy-five acres. The Court ordered an inquest, which was returned December 16, 1809 (see Liber VIII, folio 229), finding the land incapable of division without prejudice, whereupon the Court ordered that as John Sellers and George Sellers, two of the eldest heirs, lived in North Carolina, notice of the proceedings should be advertised in the *Aurora* and the *Northampton*, according to law. Subsequently (Liber VIII, folio 246), the Court ordered that, as notice had been published, the valuation fixed by the inquest should be approved, and, as none of the other heirs appeared, Philip "Seller," son of said intestate, appearing and being willing to take the real estate at the valuation fixed by the inquest, the Court so ordered, subject to the payment of the dividends of the other heirs.

The subsequent conveyance of part of this land is recorded at Easton in Liber G, Vol. 3, folio 380. The deed was

dated June 10, 1811, and recites a conveyance by Philip "Seller," of Upper Saucon township, and Susanna, his wife, to Jacob Arnold, of the same place.

As it has not been ascertained whether Philip Sellers married more than once, it is presumed that his wife Barbara was the mother of the following issue :

12. John, settled in North Carolina.
13. George, settled in North Carolina.
14. Philip.
15. Abraham.
16. David.
17. Jacob.
18. William.
19. Isaac.
20. Catharine, m. Abraham Darstone.
21. Elizabeth, m. John Brunner. Issue :
 - 21^a. Margaret, m. John Brunner.
22. Polly, m. Henry Rohr, Jan. 1, 1797. (Pres. Ch., Abington, Pa.; Pa. Ar., 2d Ser., Vol. 9, p. 369).
23. Eve, m. Philip Hittle.
24. Susanna.
25. Hannah, m. John Geisinger.

III. 16. DAVID SELLERS, son of Philip Sellers (2) and, presumably, Barbara, his wife, was apparently the fourth child, as that was the order given in the petition of Philip Sellers previously referred to. It has not been ascertained whether he was born in Bucks County or Northampton. Neither has the date of his birth been found, although approximation suggests *circa* 1751. He married Sarah Root. The record of the marriage has not been found, the information having been received from their son Samuel, hereafter mentioned. The following deeds are recorded at Doylestown, Bucks County, Pennsylvania :

Liber 31, page 248. Indenture dated November 14, 1800,

between David Seller, of Rockhill township, Bucks Co., Pa., *Tanner* (Farmer?), and Sarah, his wife, grantors, to Philip Seller, of Upper Saucon township, Northampton Co., Pa., yeoman, 18 acres in Rockhill township; part of 97 acres and 90 perches conveyed by Bernard Broad and Magdalena his wife to the said David Seller, June 25, 1797, which conveyance is recorded in Liber 29, page 373.

Liber 34, page 522. Indenture dated March 26, 1802, between David Seller, of Toamensing township, Montgomery Co., Pa., yeoman, and Sarah, his wife, grantors, and Isaac Slighter, of Hatfield township, and Joel Lukens, of Toamensing aforesaid, grantees. Conveyance of house and 38 acres and 154 perches, situate in Rockhill township, Bucks Co.; part of 103 acres and 66 perches which Bernard Broad, and Magdalena, his wife, by deed dated June 24 (25?), 1797, conveyed to David Seller, which conveyance is recorded in Liber 29, page 373.

As letters of administration were granted upon the estate of David Sellers November 8, 1821, it is assumed he died shortly before that date. His wife survived him. The place of their burial has not been located. The following references are recorded at Lancaster, Pennsylvania:

Register's office, Bond Book A, Vol. 1, page 72. Letters of admn. were granted upon the Estate of David Sellers, dec'd., Nov. 8, 1821, Christian Frick, of Manheim township, and Christian Eby, of Elizabeth township, being apptd. administrators.

Bond Book B, Vol. 1, page 85. Letters of Admn. were granted upon the estate of Sarah Sellers, dec'd., October 23, 1823, to Christian Frick and John Blocher.

Orphans' Court, Lanc. Co., Pa. Record Book 1816-1822, page 690. Petition of Christian Frick and Christian Eby, Administrators of David Sellers, late of Elizabeth township, Lancaster Co., dec'd, praying for an order to sell certain real estate of decedent situate in Elizabeth, Lexington, and Warwick townships and also stating that the decedent left

issue fourteen children, to wit, Absalom, Solomon, Isaac, Jesse, Samuel, Curtis, David, Joseph, Reuben, Mary, Abigail, Sarah, Hannah and Nancy; that the said Mary married Christian Frick, and that the said Jesse, Samuel, Curtis, David, Joseph, Reuben, Sarah, Hannah, and Nancy were in their minority. This petition was allowed.

In Record Book, 1822-1825, page 48, pursuant to the previous order, the administrators made return of sale June 8, 1822, to Samuel Miller and Jacob Eitingor.

David Sellers and Sarah, his wife, left issue:

26. Absalom, b. Nov. 1, 1794; bap. June 18, 1795.
(Indian Creek Ch. Rec.)
27. Solomon, b. Dec. 29, 1795; bap. Apr. 3, 1796.
(Indian Creek Ch. Rec.) Settled in Lancaster Co., Pa.
28. Isaac.
29. Jesse.
30. Samuel.
31. Curtis.
32. David.
33. Joseph.
34. Reuben, settled in Ohio.
35. Mary, m. Christian Frick. Issue:
35^a. Nancy.
36. Abigail (Eleanor?).
37. Sarah.
38. Hannah, settled in Ohio.
39. Anna (Nancy).

IV. 30. SAMUEL SELLERS, fifth son of David Sellers (16) and Sarah Root, was born in Chester County, Pennsylvania, November 2, 1802. He was married at the Arch Street Presbyterian Church, West of Tenth Street, Philadelphia, May 29, 1832, by the Rev. Thomas H. Skinner, to Barbara Ann, daughter of John Wampole and Sarah Ann Sailer. He is mentioned as the fifth son according to the arrange-

ment in the petition of the administrators of the estate of his father, previously mentioned. His early life was spent in farming; subsequently he became a builder, and later a grocer. He resided at Philadelphia. He was a member of the Board of Commissioners of the District of Spring Garden, Philadelphia. The following conveyances are recorded at Philadelphia:

Liber A. M., No. 46, folio 255:

Mar. 9, 1834. Jacob Colver of Allentown, Lehigh Co., Pa., and wife to Samuel Sellers of the District of Spring Garden, Penn township, Phila. Premises situate in said District on South side of Callowhill West of Thirteenth.

Liber G. S., No. 16, folio 481:

Sep. 15, 1836. Edward G. Howell, of Penn township, Phila., Physician, to same. Premises N. side of Rittenhouse St., W. of Schuylkill Fifth.

Liber G. S., No. 22, folio 243:

July 11, 1840. Jacob Otto Enreig, of Phila., to same. Prem. S. side of Locust W. of Schuylkill Sixth.

Liber G. S., No. 17, folio 294:

Aug. 10, 1840. Elizabeth F. Roberts, of Phila., to same. Assignment of ground rent. Prem. N. side of Rittenhouse W. of Schuylkill Sixth.

Liber G. S., No. 28, folio 640:

July 7, 1841. George Cadwalader, of Phila., and wife to same. Prem. S. side of Callowhill W. of 13th.

Liber A. W. M., No. 60, folio 306:

Feb. 16, 1848. Articles of Agreement between Samuel Sellers, of the District of Spring Garden, Phila., and Sarah Sellers (late Hoopes) wife of Samuel Sellers, by which Samuel Sellers covenants to convey to Daniel Wright or such other person as his wife may appoint all his interest in the estate of James Hoopes, dec'd., former husband of said Sarah Sellers, in trust for her separate use and at her death to vest in Theodore and John Hoopes, children of said Sarah.

Liber A. W. M., No. 59, folio 257:

Feb. 16, 1848. Samuel Sellers and wife to Daniel Wright in pursuance of former agreement.

Liber A. W. M., No. 60, folio 300:

Feb. 16, 1848. Same to Aaron H. Burtis, of Phila. Prem. S. side of Callowhill W. from 13th St. also in pursuance of former agreement.

Liber T. H., No. 19, folio 232:

Mar. 27, 1852. Aaron Burtis, of Phila., & wife to Samuel Sellers, of Dist. Spring Garden. Prem. N. E. Cor. Coats & 13th St.

Liber T. H., No. 169, folio 219:

June 21, 1854. Sarah Ann Sellers (late Sarah Ann Hoopes) Admx., and Ezekiel Jackson, admr. of Est. of James Hoopes, late of Dist. of Spring Garden, dec'd., to Chas. H. Muirhead, of Phila., Conveyancer. Conveyance of land of James Hoopes, dec'd.

Liber R. D. W., No. 137, folio 193:

Apr. 21, 1857. Theodore Hoopes and John Hoopes, only surviving children and heirs of James Hoopes, dec'd., Elisha P. Graham, Trustee, and Sarah Ann Sellers. *In re* property of James Hoopes, dec'd.

Liber R. D. W., No. 128, folio 231:

April 24, 1857. Theodore Hoopes, of Phila., and John Hoopes, late of Phila., now of Downingtown, Chester Co., Pa., to Rev. William P. Hinds, of Phila. Conveyance of land of James Hoopes, dec'd., their father.

Liber R. D. W., No. 128, folio 236:

Apr. 28, 1857. Elisha P. Graham, Trustee, to Sarah Ann Sellers, wife of Samuel Sellers, and Rev. Wm. P. Hinds.

Liber A. D. B., No. 50, folio 81:

Dec. 2, 1858. Ibid.

Liber A. D. B., No. 69, folio 509:

June 23, 1859. Samuel Sellers, of Phila., Coal Merchant, of 1st part, Aaron H. Burtis, of 2nd part, and Levi

Sellers of 3rd part. Substitution of latter for Burtis as Trustee.

Liber A. D. B., No. 100, folio 408 :

In re Hoopes' property.

Liber L. R. B., No. 92, folio 397 :

Apr. 7, 1865. Levi Sellers, Trustee, 1st part, Samuel Sellers, 2nd part, to Martin Ulrich. Prem. S. side of Cal-lowhill W. of 13th.

Liber J. A. H., No. 257, folio 5 :

May 29, 1872. Same to Joseph Harrison, Jr.

Barbara Ann, wife of Samuel Sellers, was born in Chester County, Pennsylvania, September 16, 1810, and died June 17, 1841. Samuel Sellers, died July 13, 1880. He and his wife are both buried at Monument Cemetery, Philadelphia. The second wife of Samuel Sellers was Sarah Ann, widow of James Hoopes.

Samuel Sellers and his first wife had issue :

40. David Wampole.

41. Samuel, d. Jan. 21, 1836, aged 1 yr. 6 mos. 29 dys.; bur. at Monument Cemetery, Phila.

42. John R., d. May 4, 1838, aged 1 yr. 4 mos. 26 dys; bur. at same place.

43. Edwin Elias.

44. Sarah Ann, d. Apr. 14, 1839, aged 5 mos. 11 dys.; bur. at same place.

V. 40. DAVID WAMPOLE SELLERS, son of Samuel Sellers (30) and Barbara Ann Wampole, was born at Philadelphia, Pennsylvania, May 11, 1833. Upon completing his education at the High School of said city, he was registered as a student at law under the preceptorship of the late Hon. John Cadwalader, and was admitted to the Philadelphia Bar upon his twenty-first birthday, May 11, 1854, In 1857 T. & J. W. Johnson & Co., of Philadelphia, published "A Practical Treatise on the Law of Carriers of Goods and Passengers by Land, Inland Navigation, and in

Ships. With an Appendix of Statutes and Forms of Pleadings. By Tompson Chitty, Esq., and Leofric Temple, Esq., Barristers-at-Law. With notes and references to the American decisions by David W. Sellers." January 5, 1858, he was admitted to the Supreme Court of Pennsylvania.

May 13, 1858, he was appointed Assistant City Solicitor of the City of Philadelphia by Henry T. King, Esq., and continued in that position under the administrations of Charles E. Lex, Esq., and F. Carroll Brewster, Esq., until January 1, 1866. January 8, 1865, he was admitted to the Supreme Court of the United States to argue the case of *Gilman v. Philadelphia*, 3 Wallace, 713.

July 22, 1858, he was married at St. Peter's Protestant Episcopal Church, Philadelphia, by the Rev. William H. Odenheimer, D.D., to Anna Frances, daughter of Rev. Joseph Jaquett and Elizabeth Stretcher. She was born at Philadelphia, Jan. 23, 1838.

August 3, 1861, he was commissioned by Governor Andrew G. Curtin "Judge Advocate," with rank of "Major," having been appointed by Brigadier-General Augustus James Pleasonton, commanding the Home Guard, composed of the uniformed militia of the city of Philadelphia, to serve until the second Monday of October, 1861.

In 1865 he became counsel of the Union Passenger Railway Company, the Chestnut and Walnut Passenger Railway Company, and the Continental Railway Company, and continued to represent them after their consolidation as the Union Traction Company.

May 8, 1876, he was appointed by the Board of Judges a Commissioner of Fairmount Park.

On the recommendation of the members of the Philadelphia Bar he was nominated by the Democratic party for the office of City Solicitor. He was defeated, however, in the election, which occurred February, 1877. The following endorsement appeared in the daily papers:

“FOR CITY SOLICITOR, DAVID W. SELLERS, ESQ.

The undersigned, in respectfully recommending the nomination of David W. Sellers, Esq., for the office of City Solicitor, desire to call attention to the dignity and importance of the office. The City Solicitor of Philadelphia holds the same relation to the city as the Attorney-General of Pennsylvania to the Commonwealth, and the business committed to his care is really more varied and extensive than that intrusted to the State official. The cases brought in every year to which the city is a party are numbered by the hundred, and it is a common thing for thousands of dollars to be involved in a single suit; while grave questions are constantly arising in respect to the powers, duties, and liabilities of the different departments, as to which the opinion of the Solicitor must be the guide of action. If private persons or corporations had such interests at stake, they would select the very best professional talent they could find, and would insist upon retaining counsel of established position. The citizens of Philadelphia should do the same, and, if they wish it, they can have the services of a lawyer in the highest walks of the profession. The office is one of honorable distinction, and the salary and fees afford adequate compensation.

The public interest requires such a representative, and no good reason existing why a candidate of this character should not be chosen, in order to secure to the community the services of one thoroughly competent, we have felt it our duty to unite in recommending the nomination of Mr. Sellers. For many years (including the entire term of the late Charles E. Lex, Esq.) he was the first assistant in the office, and there became thoroughly familiar with its duties. Since engaging in private practice he has been concerned in nearly every important cause coming before the courts, to which the city was a party, or in which were involved questions arising under the peculiar laws of the munici-

pality. In all such matters he is a recognized authority, and, without disparagement to others, it may be asserted as the common judgment of the profession, that no member of this Bar is better qualified to take charge of the Law Department of the city. Just at this juncture of affairs there seems reason to hope that personal fitness will be largely taken into account in the election of local officers, and in filling this place the public can hardly afford to choose by any other standard. If such be the desire, we shall have done our duty in calling attention to the candidate we have named.

George W. Biddle,
George M. Dallas,
P. McCall,
R. C. McMurtrie,
John C. Bullitt,
Samuel Dickson,
E. Greenough Platt,
John Samuel,
Louis C. Massey,
E. Y. Johnson,
William D. Wetherill,
George W. Spiese,
Edward Olmstead,
Chapman Biddle,
George E. Buckley,
Richard P. White,
John M. Thomas,
Henry M. Dechert,
Thomas J. Diehl,
J. A. Spencer,
R. W. Clay,
E. C. Quin,
T. J. Barger,
James Otterson,

George Junkin,
C. Ingersoll,
Arthur M. Burton,
John F. Keen,
Lewis Stover,
H. G. Clay,
E. Coppée Mitchell,
Horace F. Weeks,
Garrett Pendleton,
John Cadwalader, Jr.,
John Bellangee Cox,
Albert James, Jr.,
William Lyttleton Savage,
Thomas Greenbank,
George W. Morris,
George Biddle,
Henry C. Olmstead,
Myer A. Levi,
John E. Snare,
Samuel F. Babcock,
Robert D. Maxwell,
A. H. Moon,
James Parsons,
William Morris,

Stephen L. Remak,
John S. Powell,
George Bull,
George W. Thorn,
Charles Myers,
William A. Husband,
William H. Staake,
Pierce Archer, Jr.,
Isaac S. Sharpe,
S. H. Alleman,
J. V. Peterson,
John T. Spencer,
Theodore McFadden,
William McGeorge, Jr.,
Robert H. McGrath,
Nathan H. Sharpless,
J. Jos. Murphy,
W. Heyward Drayton,
J. D. Bennett,
Daniel Dougherty,
John M. Campbell,
James H. Shakespeare,
Thos. Greenbank,
J. H. Heverin,
Inman Horner,
John F. Belsterling,
Geo. W. Wollaston,
Charles H. Gross,
M. J. Byrne,
James A. Conner,
John A. Brown,
A. A. Hirst,
Chas. H. Krumbhaar,
Wm. S. Fries,

George Harrison Fisher,
Charles Henry Jones,
George Sergeant,
Samuel Robb,
A. J. Montgomery,
Ernest Zantzinger,
A. Sydney Biddle,
John J. Wilkinson,
T. B. Stork,
Jacob E. Bowers,
MacGregor J. Mitcheson,
Clarence Deringer,
Robert Palethorp,
Wm. Rudolph Smith,
Edward H. Weil,
George H. Earle,
Isaac Gerhart,
M. Arnold,
Joseph A. Clay,
Charles S. Keyser.
George Northrop,
Joseph I. Doran,
A. V. Zane,
W. Henry Sutton,
William Vogdes,
John M. Arundel,
Rich. H. Winship,
Walter J. Budd,
J. H. Wheeler,
G. Morgan Eldridge,
J. Rich. Grier,
John Dolman,
C. F. Erickson."

At a meeting of the Park Commission held June 27, 1877, Mr. Sellers was chosen to receive the Catholic Total Abstinence Union Centennial Fountain, now erected in Fairmount Park. The ceremonies took place July 4, 1877. The following were the remarks of Mr. Sellers upon receiving the Fountain :

“I have been appointed, on behalf of the Commission of Fairmount Park, to accept the gift of this Fountain. It is truly a grand sculpture, and will remain on these grounds contributing its part through all time to the pleasure of the people. The existence of the church to whom the presenting societies look for guidance is attested throughout Christendom by abundant trophies of the most elevated taste. Her teachings have had and have all of the arts for their handmaids. Architecture and sculpture have found in her a generous and discriminating patron. Our people may well feel special honor that from her store her followers have given this masterpiece. It will forever suggest by its silent voice lessons in favor of self-restraint, of devotion to human government, and of veneration for those who love to serve their countrymen. Well-governed, self-sacrificing philanthropy and pure patriotism will in this have an immortal monument.

In its display it will manifest one of the numerous and blessed uses of water, and thus perpetually refer the beholder to the overruling Beneficence. How appropriate is the place here in Pennsylvania, in whose polity its great founder inwrought the principles of civil and religious freedom, which have been accepted with increasing earnestness of conviction by her people in their successive generations; here in Philadelphia, whose colonial plan comprised pleasure grounds for the health and recreation of the people; here in this Park, the natural outgrowth of that early municipal polity, surrounded by statues to the devotees of universal science, of universal emancipation, of equal and well-regulated liberty, and to the cause of universal religious tolera-

tion,—how fitting that a great brotherhood, coextensive with our Union, should here set this as their impress. What fitter place than here for such a sculpture! The monument beheld on entering these grounds speaks of malice towards none, and this shall likewise forever speak. On this place consecrated to the people, above all distinctions of race, factions, and faiths, may it forever remain in noble companionship. How fitting is the scene on the anniversary of the day which founded on this continent a government on a purely secular basis, subordinating equally under law institutions as well as persons, and securing to the millions who should inhabit our land the rights assured, the free and liberal system of Penn and Calvert.

How appropriately have the societies chosen it to finally present their truly commemorative work of the men who aided in making successful the great historic declaration of 1776!

Permit me to conclude, on behalf of the people and with the assurance to the donors, that this gift shall be guarded as one of itself most deserving and most worthy of this place and of this day."

December 24, 1879, he was elected solicitor at Philadelphia of the Pennsylvania Railroad Company, to take effect as of January 1, 1880, which position he retained until his death.

December 15, 1881, he was elected solicitor of the Philadelphia, Wilmington and Baltimore Railroad Company, and of the Philadelphia and Baltimore Central Railroad Company, to take effect as of October 1, 1881, which position he also retained until his death.

May 11, 1883, his fiftieth birthday, was commemorated by a dinner given in his honor by Thomas Hart, Jr., Esq., President of the Undine Barge Club, at "Ringstetten-on-Schuykill," of which Club Mr. Sellers had been a member many years. The following poem, by Dr. Thomas Wistar, a member, dedicated to Mr. Sellers, was read on this occasion :

“AT FIFTY YEARS.

I.

For thee, whose sun had reached high noon
Ere it was ours thy face to know,
We, all unwilling, must forego
The music of life's morning tune :

The bounding of thy boyhood's race,
The triumphs of thy youthful course,
The gathering of the fuller force
That marks thy honorable place—

Of these, and more, we may not sing,
But only of the larger man
Who roundly fills the splendid span
That mind from circumstance can wring.

In looking backward o'er the main
Whose fifty years are at an end,
We hail thee, comrade, brother, friend,
With mingled gay and grave refrain.

For not alone on summer seas,
'Twas thine to sit and fold thy hands,
And view around thee, pleasant lands,
And eat and drink and take thine ease:—

For surely on that sea of life,
That smiles so fair and calm to-day,
Rose many a storm in stern array,
With cruel threat and conflict rife.

But thou wert one to conquer fate,
To battle with a fearless hand
And iron will, and take thy stand
Now foremost with the good and great!

II.

Ah, life is such : there are who seem
To flit like moths in fortune's rays,
And pipe and dance away their days,
As if existence were a dream.

Nor half they know the half they miss :
The bee that wings its weary way,
With laden thighs from day to day,
In toil and sweet reward, knows bliss.

And bliss they know, or young or old,
Who, deeming life a thing sublime,
So use the husbandry of time,
That time returns a hundred-fold.

No thought is theirs of wasted youth
To rack the soul, no fruitless tears ;
But surely in the after years,
The rich reward of toil and truth.

'Tis thus upon thy manly brow
The garlands earned upon thy way,
Sweet promise of a future day,
Are turned to victor's laurels now.

For, come what may, or more or less
The measure of thy days may be,
Each life is its own victory,
When full as thine, of usefulness !"

August 26, 1885, he was commissioned by Governor Robert E. Pattison an aide-de-camp, with rank of lieutenant-colonel, to serve on the governor's staff, to take effect from July 23, 1885 ; he served throughout his administration.

February 16, 1887, he was elected a vice-provost of the Law Academy, and served until his death.

May 28, 1887, he was appointed general counsel at Philadelphia of the American Surety Company.

October 24, 1887, on behalf of the Park Commission, he received the "Penn Mansion," in Fairmount Park.

January 14, 1892, he was elected a member of the Board of Managers of the Zoological Society; he served until his death.

March 14, 1893, he delivered the following address before the Committee of Municipal Corporations of the House of Representatives of the Commonwealth of Pennsylvania, in opposition to the proposed Act (Senate Bill No. 141), "To abolish commissioners of public buildings and to place all public buildings under the control of the Department of Public Works in cities of the first class."

"MR. CHAIRMAN, GENTLEMEN OF THE COMMITTEE:

It has been my pleasure, back to 1870, to have been always very friendly to the Commission, and to have approved, in every particular, everything that they have done, in substance and in form. When the attempt was made, in the present session of the Legislature, to abolish that public tribunal, I then felt, as I now feel, that a great calamity was about to be inflicted upon the city of Philadelphia. So far as I am concerned, I am willing at any time and in any place to bear publicly my testimony to the propriety and the prudence of a continuance of the Commission, until the entire work which the State, by its own legislation, appointed them to complete, be entirely and satisfactorily finished.

That Act of 1870, which was passed by the sovereign power of the State, was passed by reason of the palpable and public neglect, for nearly half a century, by the local authorities in the county of Philadelphia, to provide adequate accommodation for the administration of public justice and adequate accommodation for the public offices of

the State. It was passed, and the Supreme Court have so said, for the purpose of establishing, on behalf of the Commonwealth, a Commission which would be paramount in its powers to the local authority; and that Court has commanded, in no uncertain language, that every public officer, municipal and county, in the county of Philadelphia, should aid that Commission in the execution of the great work which had been committed to it. Now, the difficulty that you have here in Harrisburg, or in any place, arises because of a lack of appreciation of the vastness of the work that was committed to that body in 1870. When they selected a staff of competent men for the purpose of giving that accommodation which was necessary to meet the needs of the present and the reasonable increase of such needs in the future, it was discovered that a building was necessary which would include fifteen acres of floor-space and 780 rooms; and for the purpose of acquiring that space and those rooms, the plan necessarily, in its inception, was one of very large and comprehensive design. The building is now nearly completed, and the plan of it shows that, of the space in actual occupation by the municipal offices to-day, the Mayor of Philadelphia, for his official accommodation, occupies 3000 square feet; the Director of Public Works, 12,750 square feet; and the Director of the Department of Public Safety, 51,000 square feet of that space. The entire sixth floor, representing two acres of floor-space, is in actual occupation, for the administration of justice, by the Oyer and Terminer and Quarter Sessions Courts; the License Court; the District Attorney and his assistants; the grand and the petit juries, with their sleeping-rooms, with rooms for women and rooms for men who may be witnesses for the Commonwealth or for defendants. That which, in its inception, was a plan of colossal proportions, requiring for the execution of its purpose a building larger than that of the national Capitol, at Washington, necessitated the erection of a costly building. In the early history of the undertaking

there was wide and general criticism, which was perfectly proper, as to the nature of the plan, the character of the material, and whether, in some respects, the structure should attain to those standards of grandeur which the metropolitan city of this State was entitled to exhibit, by reason of its population and great wealth. Whether it should have been in one way or the other,—of white marble or granite or brick, of the order of Doric or Gothic or Composite architecture,—the facts are, that that plan was then settled, and that, under the appropriations of Councils, continuously made for nineteen years, the work, in its general plan and general execution, has met entire and unanimous approval.

It may be conceded that, in that Act of 1870, there are provisions which may or may not be changed. If it is thought that a work which, by the text of the Act and the purpose of the Act, was to be continuous from the beginning to the end,—a work which was not to recognize merely the ledger account of one year as compared with that of another year, but a work which was to be done under contracts which, in some instances, require three, four, and five years for their completion,—that which the Act provided for as a continuity of work, from the beginning to the end (and the Commission, therefore, upon a fair interpretation of the Act, being authorized to go on with the work continuously, and, when they were out of funds by reason of a failure of an appropriation, to give a certificate, which was nothing but an estimate of the amount of work done under contract with them, to be paid for when the funds were appropriated to them),—I say that, as to that work, if the order of continuity, which arises under the Act of 1870 and from the nature of the work, should be broken, it is entirely easy for the Legislature to enact that all contracts made by this Commission shall be made only after appropriations and evenly with the amounts appropriated. That original Act gave to this Commission the right to remove from Independence Square those buildings

which have been added, from time to time, for the uses of the County; to restore that Square, as nearly as can be, to the condition in which it was when the Declaration of Independence was promulgated, and to preserve the spot as the great historical monument of the independence of the country. If it is thought by any Legislature, or this Legislature, that that power should be recalled, then, of course (not being necessary to the completion of the work committed to the Commission), it can be recalled.

In the carrying on of that continuous work (as to which three Solicitors of the city have given their opinions), the Commission was warranted and authorized, in 1870, in the beginning, in making a contract for the whole of the work; and this, under the decision in the Struther's case, would have been binding beyond all power of impairment or control; and I say that, for the purpose of preserving that continuity of work and that continuity of contract and of application, the Legislature gave to the Commission the power, as vacancies occurred in its membership, to fill those vacancies. Of course, if the power thus conferred is thought, because of any proper jealousy of power, to be excessive, that feature of the law can be easily amended by giving the courts of the Commonwealth or the governor the power to fill those vacancies.

There are other questions, however, gentlemen of the Legislature, which a great State must, every now and then, consider. In a country such as ours there are practically only two patrons of the art of architecture,—the State, in its public buildings; the Church, in her edifices. In other words, in our country, so far as the art of architecture is concerned, the great object-lesson of it must, of course, come from those who erect houses for divine worship, and from the State, which erects public structures for the administration of justice between man and man. In performing a great work like the one here, where a building is to be erected which is to last for two, three, or four centuries, the

question is whether standards of the lowest types of economy are to prevail as against those higher standards which give to a people the highest ideals of the mechanic arts in beauty of construction; and which represent the industrial advance of the century in which a great public work is prosecuted. This County Hall of Philadelphia is to-day a building which will compare with any buildings of a similar description throughout the world. Those who have seen them will bear witness that in the Parliament Houses in London, in the Cathedral at Cologne, in the Madelaine at Paris, in the Cathedral at Milan, in the Capitol at Albany, or in the Capitol at Washington, there is nothing which, in point of artistic beauty and in mechanical execution, surpasses this great building which your Commission has had the honor to erect in the metropolis of this State. If you should be of opinion that the building is too grand or that it is too large, how is that of any importance to-day, with respect to the legislation of the State? That building, to-day, is completed entirely as to plans; it has been entirely roofed in; all of the internal and external structure of the walls has been finished for all time; every question of ventilation, of heating, and of water supply has been determined and settled; and there is nothing which legislation, general or local, can, as to those things, in any degree change. If there were mistakes, they are irrevocable mistakes; they are as fixed as the building itself is fixed; and the sensible problem of the hour is only whether a building which can be completed within three or six years, according to the supply of the money, shall be completed by the men who have been conducting the work upon it from the beginning, who have been trained and educated in dealing with the difficulties in the labor upon it and in the maintenance of it; or whether the entire accumulation of the wisdom and the experience of twenty-three years is to be thrown to the winds or to be left to a new body of men, which is to do what this body is now authorized to do—because the

bill which is before you, for the abolition of the Commission, simply proposes to transfer from an existing Commission (under which the mayor of Philadelphia, by virtue of his office, the presidents of Select and Common Councils, by virtue of their offices, and ten other men are performing this duty) into the hands of one man, a Director of Public Works,—an officer of the city of Philadelphia, who has now more to do than he can attend to. I say, speaking from experience, that when the Gas Works of Philadelphia were under separate management; when the Water Works of Philadelphia were under separate management; when the cleansing, the repairing, and the paving of the highways were under separate management, the work was more to the front, the work was less in arrear, than it is now, after putting upon one man and making dependent upon his single power, judgment, and will the work which had been done by nearly seventy-five men. He has enough to do. I say that to transfer this work to him from a board the membership of which, in its composition, its powers, and its duties, represents the municipality as well as the State, is to pursue the path of madness and of infancy instead of the path of experience and of manhood.

The only question to-day is, Shall this building be finished and the metropolis of our State be given a completed work according to a design that is harmonious in every feature of it, so that every Pennsylvanian may feel as much at home in Philadelphia as does a man who was born there; so that the members of the Bar of this State who come from the Eastern District to our Supreme Court shall be comfortably accommodated, and be made to feel, when they come to that metropolis, that they are in their homes; or whether the work is to be turned over to the clans of miserable local politics. That is the question, and that is the only question. It is folly, in the discussion of a question such as this, for men not to look the facts really in the face. Do you propose, when you cannot change the plans,

when you cannot alter them in any particular, to throw this thing entirely into confusion for the purpose of giving one man the patronage of fifty appointments? or will you let this work go on as it was begun? Our Supreme Court has said, without a dissent, in the decision referred to by Mr. Perkins,* that the municipality of Philadelphia has failed in the performance of its duty. They directed a peremptory mandamus to be issued, so that the municipality should perform its duty and hasten the completion of that work. That is as true to-day as it was ten years ago. The only reason why the local authorities have taken the position which they have taken is that they do not want this Commission to do the work. That is what they said in 1877; that is the position which they took in 1870. The exigencies that brought this legislation into effect, the exigencies that brought the decision of the Supreme Court into application, still exist. The building is incomplete; the city is to-day paying rent, in other places, for the accommodation of county officers; and this building cannot be completed because the money is furnished in inadequate portions. There may be no proper complaint in regard to the amount of money that the county has furnished from time to time. I believe in giving to the local authorities the judgment as to how much should be expended, because the general taxing power is with them, and the general power of making appropriations ought to be with them; but subject to that power of the levy of the general taxation, and subject to the power of putting aside what they think, in their wisdom, can go into this department of the public service, I say that the work will be better done for all purposes, by the existing Commission, than by any new man or men, no matter how eminent, how good, or how strong he or they may otherwise be.

I would like to say one other word and then I will have finished my remarks. This building has not progressed.

* *Perkins v. Slack*, 86 Pa. 270 (1878).

like the pyramids in the desert, without producing any effect upon the surrounding territory; it does not stand there, as a great work of architecture, without having done any good to the city. In 1870, when the Act was passed, and it became, by a vote of the people, an established fact that those buildings should go where they are now going, the Ninth Ward (an old ward of the city, nearly every portion of which had been built up at that time) was assessed, for the purposes of taxation, at \$25,000,000. In 1892 that ward, by reason of the attraction to it of the largest buildings of our city, is assessed, for the purposes of taxation, at \$51,000,000. The difference in the value, between 1870 and 1892, with a tax-rate of \$1.85, which is now the tax-rate of the city, shows an increase in the annual revenue of the city of \$385,000 from that ward. In the ward just to the north of the Ninth Ward—the Tenth Ward—a ward which was also almost as fully built up as was the Ninth Ward in 1870, the assessment, for the purposes of taxation, was \$21,000,000; and in 1892 the assessment is \$22,000,000. So that, while the total valuation of the adjoining ward, the Ninth, has gone up to an amount of \$26,000,000, that of the Tenth Ward has increased, in the same period of twenty-two years, only \$1,000,000,—showing that the impress of this grandeur at the corner of Broad and Market Streets has been felt all along through the Ninth Ward; that property there has participated in the increase of value, that values generally have been elevated, and that there has been brought into the public treasury a sum of money sufficient to far more than pay the interest on a loan for the Public Building, if it had been erected upon a loan. The Legislature thought, in the inception of the movement, that the building should be paid for as the work upon it proceeded, and denied the right of the city to issue a loan.

Therefore I say, let the city of Philadelphia have this undertaking completed. In heaven's name, let the city do something, and not have everything on paper that is to be

done in the great future with nothing done at present ; but let this work, which has increased the values of public and private property in our city and increased its accommodations so that it is not ashamed to invite citizens from every part of the country to visit us and to stop with us and to see a structure that is well worthy of inspection—I say, in heaven’s name let this work be completed and leave this Commission alone. If that course is taken, you will not find within a short time, within a year or two, any man whose opinion is of value who will not rejoice that the idea of a total abolition of this Commission was repudiated by the General Assembly of the Commonwealth. (Applause.)

Mr. Richmond (of Philadelphia).—I would like to ask the gentleman one question. Mr. Sellers, I ask whether you appear before the Committee to-night as the attorney for the Building Commissioners or for any one of the Building Commissioners ?

Mr. Sellers.—I have not the slightest difficulty in answering. In my early Masonic life I was called upon to consider the work of erecting the Masonic Temple, with which we were so busy in the Masonic order. It happened that my friend Mr. Perkins, who was the Grand Master, was the chairman of the building committee of that Temple. I remember quite well the criticisms in regard to the grandeur of it, and all that. I happened to be one of the men who were entirely in harmony with the idea of having a grand temple for the Masonic order in Philadelphia—which we now have. When Mr. Perkins was named by the Legislature of Pennsylvania, without his seeking to get the position, as a member of this Commission, I was delighted to feel that, if his life was spared, the work would be committed to a man who would singly, simply, and resolutely carry out a grand plan for our city. I have observed his efforts and, being a member of the same profession and having had a friendship for him for many years,—considering that this bill is somewhat of an attack upon him, after his twenty-five years of

public service,—I feel, as a friend, as a citizen, and as a lawyer, that I am ready to go anywhere, not in the spirit of an attorney, but because of personal sympathy, to bear my testimony to what I consider is his private and public well-doing in connection with this work. (Applause.)

Mr. North (of McKean).—Mr. Chairman, I would like to ask this question. It is generally understood here that the press of Philadelphia, almost universally, ask for the displacement of this Commission. Can the gentleman explain whether the newspapers voice the sentiment of the taxpayers of Philadelphia or not?

Mr. Sellers.—Of course, I cannot answer. The press of Philadelphia, lately, has been the guiding-post of the path which you ought to avoid. (Merriment.) Whether they represent the taxpayers or not is one of those questions which are very difficult to determine. I do not believe it. I could name to you very large taxpayers in the city of Philadelphia (who would not, of course, like to have their names introduced into this controversy), who, upon the policy of the abolition of the Commission, consider that the newspapers are wrong. And I think that you will have a memorial to that effect from men of undoubted ability, simply upon the policy of abolition. There are, as I have told you, many opinions in Philadelphia as to some modifications of the powers of the Commission; that is undoubtedly so; but upon the question which I have come here to speak to particularly, I have very great doubts whether the great body of the mechanics, who delight to see a fine public improvement, the great body of the taxpayers of Philadelphia, the men who are in control of the large railroad managements of our county—I have great doubts whether those men are at all represented in what you see in the public prints. But I am utterly unable to answer that question fully.”

Upon the passage of the Act of May 24, 1893, entitled
“An Act to abolish commissioners of public buildings and

to place all public buildings heretofore under the control of such commissioners under the control of the Department of Public Works in cities of the first class," the Commissioners of the Public Buildings of the city of Philadelphia filed a bill in equity in the Supreme Court to restrain the city from taking control of the Public Buildings. The bill averred that the act violated Section 20, Article 3, of the Constitution, forbidding the delegation of any municipal function to any special commission; Section 6, Article 3, of the Constitution, forbidding the revival or amendment of any act by reference to its title only; and Section 8, Article 3, of the Constitution, forbidding any local or special bill to be passed without thirty days' notice thereof in the locality affected. The court granted the preliminary injunction. The case was argued by Rufus E. Shapley, Esq., John G. Johnson, Esq., and David Wampole Sellers, Esq. It is reported in 156 Pa. Rep., 539 (1893).

Mr. Sellers had been a Republican in earlier life, but subsequently became a Democrat.

January 3, 1895, he was elected chairman of the convention to revise the rules of the Democratic party in the county of Philadelphia.

He was for several years president of the Young Men's Democratic Association of Philadelphia.

December 5, 1899, he was elected vice-chancellor of the Law Association of Philadelphia, and served until his death.

He was a member of the Lawyers' Club, Rittenhouse Club, Clover Club, Historical Society of Pennsylvania, Pennsylvania Society of the Sons of the Revolution, the Legal Club, Law Association of Philadelphia, and the Political Economy Club.

He died December 24, 1901, and was buried at St. Peter's Protestant Episcopal Church, Philadelphia, December 28, 1901. The following articles appeared in the Philadelphia newspapers :

(*Evening Item*, December 24, 1901.)

"A genuine shock was occasioned in local political and legal circles by the announcement, to-day, that David W. Sellers had died at his home, 322 South Tenth Street. While it was known that his health had been bad for several months and the infirmities incident to advancing years were claiming him, his death at this time had not been anticipated even by his most intimate friends.

Mr. Sellers was the law partner* of Superior Court Justice James Mitchell before the latter went upon the bench. He was famous as a corporation lawyer and handled many of the Pennsylvania Railroad's most important cases with rare acumen and tact.

He was prominently identified with municipal affairs and served as an active and enthusiastic member of the Fairmount Park Commission. In politics he was a Democrat and his counsel was eagerly sought by the leaders of that party when it was an important factor in Philadelphia.

Mr. Sellers leaves a son and three† daughters, two of whom are married. No announcement as to the funeral arrangements has been made as yet."

(*Evening Telegraph*, December 24, 1901.)

"David W. Sellers, well-known lawyer and president of the Fairmount Park Commission, died at 3 o'clock this morning at his residence, No. 322 South Tenth Street. Mr. Sellers had been in poor health for the past three years, and during that time had been confined periodically at his home. He suffered from colds and grip, and some time ago a complication of diseases set in. Three months ago he took to his bed, and he was never able to leave it again. He grew weaker every day, and towards the end his heart failed him. The members of his family were at

* They merely had offices together.

† He left a son and five daughters, three of whom are married.

his bedside continually, and when death came they were prepared for it.

MR. SELLERS'S PROFESSIONAL CAREER.

David Wampole Sellers was born in this city in 1833. After passing through the grammar schools he entered the Central High School, and on being graduated from that institution became a law student in the office of the late Judge John Cadwalader. In May, 1854, he was admitted to the Bar, and for nearly half a century continued in the active and successful practice of his profession. At an early date in his career at the Bar he became the chief assistant in the City Solicitor's office, and served in that capacity for eight successive years, under Henry T. King, Charles E. Lex, and Frederick Carroll Brewster. Mr. Sellers's long connection with the City Solicitor's office so familiarized him with the Legislative Acts and Councilmanic ordinances affecting the city that he became one of the most reliable authorities on municipal law at the Philadelphia Bar. His reputation in this connection caused him to be frequently retained as counsel in suits against the city. In December, 1879, he was appointed by the Board of Directors of the Pennsylvania Railroad Company one of the local solicitors of that corporation, in succession to Chapman Biddle.

In January, 1877, Mr. Sellers was made the Democratic candidate for City Solicitor, but at the election held in the following month he was defeated by W. Nelson West, the Republican candidate and then incumbent of the office, by a majority of 7548. About the same time Mr. Sellers figured prominently before the whole country in connection with the disputed Presidential election. He went to Florida at the invitation of the Democratic National Committee, and made an argument before the Supreme Court of that State in behalf of the *mandamus* to compel the State Election Board to proceed with the canvass of the Presi-

dential vote before the end of the thirty days allowed by law.

In April, 1876, Mr. Sellers was elected by the Board of Judges a member of the Park Commission, to fill the vacancy in that body caused by the death of Theodore Cuyler. He continued to serve on the commission during the remainder of his life, being one of the most active and influential members of the Board, and on December 8, 1899, was elected to succeed the late James McManes as president of the Commission. For a number of years preceding that date Mr. Sellers had been the vice-president of the Board. He also served for a long time as chairman of the Committee on Land Purchases and Damages, and in that capacity was largely instrumental in securing additional land and extending the boundaries of the park along Wissahickon Creek, and also in the taking of additional land in the West Park up to Roberts Hollow, near Chamounix.

Mr. Sellers married Miss Anna Frances Jaquett, by whom he had a family of one son and five daughters."

(Evening Bulletin, December 24, 1901.)

"David W. Sellers, one of the most widely known members of the Philadelphia Bar, died early this morning at his residence, 322 South Tenth Street. The immediate cause of his death was a complication arising from weakness of the heart. He had been confined to the house for three months past, and although he sank rapidly at the last, a fatal result had not been unexpected by his family.

His heart affection developed about three years ago, since which time Mr. Sellers had been obliged to give up much of his legal and other work. All of his family were at the bedside when the end came. Mr. Sellers is survived by a widow and the following children: Misses Agnes and Elizabeth Sellers, Mrs. Edward P. Vogels, Mrs. Marcellus Coxe, Mrs. G. Howard Stirling, and Edwin Jaquett Sellers,

who has been associated with his father in the practice of law.

Mr. Sellers was one of the most active and influential of the Park Commissioners, and had made municipal park details a life study. He was seldom absent from any of the committee or board meetings of the Commission since his appointment by the Board of Judges as a Park Commissioner in April, 1876. With the exception of former Mayor Stokley he was one of the oldest members of the Commission in years of service, William S. Stokley being appointed a Park Commissioner in 1868, when the Commission was appointed.

A special meeting of the Park Commission has been called for Thursday at noon to take appropriate action in the death of the president. Notices for the meeting have been sent out by James L. Miles, vice-president of the Commission and a member of the Board by virtue of his office as president of Select Council.

Mr. Sellers was a member of the Lawyers' Club, the Rittenhouse Club, the Clover Club, Historical Society of Pennsylvania, Pennsylvania Society of the Sons of the Revolution, the Young Men's Democratic Association, of which he was president for several years, and a member of the Board of Managers of the Zoological Society. He married Anna Frances, daughter of the late Rev. Joseph Jaquett, of Philadelphia, and a descendant of Jean Paul Jaquett, governor of Delaware in 1655.

David Wampole Sellers had been long prominent in his profession, being a most successful corporation lawyer. A leader in the Democratic party, his counsel in that organization was always referred to, and in 1895 he succeeded William F. Harrity as president of the Young Men's Democratic Association, and he did much to increase the influence of that organization.

His opinion in grave questions was sought and invariably followed. It was the high regard for his fairness and astute-

ness that caused him to be sent by request of the Democratic National Committee to Florida in 1876 to represent the Democratic electors of that State before the Returning Board in the famous Tilden-Hayes contest for the Presidency of the United States. Mr. Sellers was frequently chosen as a delegate to important Democratic conventions, and as chairman of the Committee on Rules took an active part in the revision of the rules of the Democratic party in Philadelphia, a few years ago. In 1877 he was the candidate of his party for City Solicitor and, although defeated, polled a heavy vote.

Mr. Sellers was born in Philadelphia, May 11, 1833. He entered the public schools of this city, graduating at the High School, and studied law with Judge Cadwalader. He was admitted to the Bar in May, 1854, and practised law in this city ever since. He was chief assistant in the City Solicitor's office for eight successive years, under Messrs. Henry T. King, Charles E. Lex, and Fred Carroll Brewster. For a decade he handled and disposed of many of the most important cases affecting Philadelphia interests.

On May 8, 1876, he was appointed a member of the Fairmount Park Commission, of which he was elected president on December 8, 1899. In 1865 he became counsel of the Union Passenger Railway Company, the Chestnut and Walnut, the Continental, and other railway companies; in 1879 of the Pennsylvania Railroad Company; in 1880 of the Philadelphia, Wilmington, and Baltimore, Northern Central, and Baltimore and Potomac Railroad Companies, all of which he represented at his death.

On December 5, 1899, he was elected vice-chancellor of the Law Association of Philadelphia. He was also vice-provost of the Law Academy of Philadelphia, which positions he held at the time of his death.

Mr. Sellers was perhaps best known for his work in connection with the Park Commission. He was for many years chairman of the Committee on Land Purchases and

Damages of the Commission. This committee is in reality the law committee of the Commission. It was largely through the influence of Mr. Sellers that the triangle at Twenty-fifth and Spring Garden Streets, the acquisition of which cost some hundreds of thousands of dollars, was annexed to the Park. The extension of the boundaries of the Wissahickon Ravine, the adjustment of the boundaries of the Reading Railway in Park confines, the acquisition of Roberts Hollow near the Country Club at Bala, and the building of the Roberts Hollow drive were projects with which Mr. Sellers had been actively identified.

‘Mr. Sellers has always evinced a profound interest in any matter which concerned the Park,’ said former justice Samuel Gustine Thompson to-day. ‘No one displayed a greater interest. He rarely missed meetings of the board or of the different committees. It might accurately be said that it was with him a labor of love. He was more familiar with legislation regarding Park matters than any other commissioner. When any question involving legislation for the Commission came up, it was invariably referred to him for information, he was always prompt in his determination. His loss to the Commission in this regard will be very great, and his place will be difficult to fill. In extending Park boundaries he was always most interested. On this subject he was exceedingly comprehensive. He seemed anxious to create a park the largest and most attractive of any in the world.

‘As a lawyer,’ continued Judge Thompson, ‘Mr. Sellers ranked among the foremost of our Bar. His knowledge of the law was very extensive and his ability in the trial of a case displayed a quickness and a grasp of the matters in controversy, which indicated the lawyer of the highest grade. Few men at the Bar will be more missed than Mr. Sellers, and no man had more strong, earnest friends. I am quite sure the community will feel that in the death of Mr. Sellers it has lost a valuable member.’”

(*Ledger*, December 25, 1901.)

“David W. Sellers, President of the Fairmount Park Commission, and one of the most eminent members of the Philadelphia Bar, died at his residence, at 322 South Tenth Street, early yesterday morning. His death was due to complications resulting from weakness of the heart, which developed about three years ago, and for the last three months he had been confined to his home.

The deceased was the legal representative of several important corporations. In 1865 he became counsel for the Union Passenger, Chestnut and Walnut, and other railway companies. In 1879 he was made counsel for the Pennsylvania, and in 1880 for the Philadelphia, Wilmington and Baltimore, Northern Central, and Baltimore and Potomac Railroad Companies. For many years he was prominent in the civic, State, and national counsels of the Democratic party. He was appointed a member of the Fairmount Park Commission in May, 1876, and at the time of his death had been president of that body since December, 1899. In this connection he was for many years chairman of the Committee on Land Purchases and Damages, and it was largely due to his efforts that the triangular plot of ground at Twenty-fifth and Spring Garden Streets was annexed to Fairmount Park. He was likewise actively interested in the extension of the boundaries of the Wissahickon Ravine, the adjustment of the boundaries of the Reading Railway in Park confines, the acquisition of Roberts Hollow near the Country Club at Bala, and the building of Roberts Hollow drive.

A NATIVE OF THIS CITY.

David Wampole Sellers was born in this city May 11, 1833, his father being the late Samuel Sellers. The family has lived in Pennsylvania since 1727, when Philip Henry Sellers (originally spelled Soller with an umlaut over the o)

came to this country from Weinheim, and settled in Bucks County.

Upon completing his academic education, David W. Sellers was registered as a student at law under the preceptorship of the late John Cadwalader, and was admitted to the Philadelphia Bar on May 11, 1854. He immediately became active as a practitioner. In 1857 the firm of T. & J. W. Johnson & Co. published an edition of "Chitty on the Law of Carriers," with American notes, by Mr. Sellers. On January 6, 1858, he was admitted to the Supreme Court of Pennsylvania, and on December 8, 1865, to the Supreme Court of the United States. He was appointed an assistant solicitor by Henry T. King, then City Solicitor, on May 13, 1858, and was continued in that position under the administrations of Charles E. Lex and F. Carroll Brewster until January 1, 1866.

The Law Association of Philadelphia honored him with the office of vice-chancellor in December, 1899, and the Law Academy elected him vice-provost, both of which offices he continued to fill until his death.

In 1876, by request of the Democratic National Committee, Mr. Sellers was sent to Florida to represent the Democratic electors of that State before the Returning Board in the Tilden-Hayes contest for the Presidency of the United States. He was also a delegate to several important Democratic conventions, and as chairman of the Committee on Rules took an active part in the revision of the rules of the Democratic party a few years ago. Although defeated, he received a large vote as Democratic candidate for the City Solicitorship in 1877.

MEMBER OF MANY ORGANIZATIONS.

He was a member of the Lawyers' Club, the Rittenhouse Club, the Clover Club, the Historical Society of Pennsylvania, Pennsylvania Society of the Sons of the Revolution, the Young Men's Democratic Association, of which he was

President for the last five years, and a member of the Board of Managers at the Zoological Society.

Mr. Sellers married Anna Frances, daughter of the late Rev. Joseph Jaquett, of this city, a descendant of Jean Paul Jaquett, governor of Delaware in 1655. He leaves a widow, one son, and five daughters. His son, Edwin Jaquett Sellers, had for several years been associated with him in the practice of the law, and is a prominent member of the Young Men's Democratic Association. His daughters are Mrs. Edward P. Vogels, Mrs. Marcellus Coxe, Mrs. G. Howard Stirling, of Baltimore County, Md., Miss Elizabeth Sellers, and Miss Agnes Sellers.

The Fairmount Park Commission will hold a special meeting at noon to-morrow to take action on President Sellers's death."

(Editorial.)

"By the death of David W. Sellers the Philadelphia Bar has lost one of its most acute, accomplished, and successful practitioners, and the Park Commission a useful member. Mr. Sellers was an active member of the Bar for nearly fifty years, and was particularly successful as a corporation lawyer. For eight years he was an assistant in the City Solicitor's office, and ably managed the legal business of the city intrusted to him. As a member of the Park Commission, with which he was connected for twenty-five years, he became very conversant with the law respecting Park affairs, and gave intelligent personal and professional attention to the development of the great pleasure ground. One of the notable tributes to Mr. Sellers's legal ability was his selection by the Democratic National Convention to represent the Florida Tilden electors before the Returning Board in the Tilden-Hayes contest for the Presidency."

(*Press*, December 25, 1901.)

"David W. Sellers, widely known throughout the State as a corporation lawyer of marked ability, and an energetic

and influential leader in the Democratic party, died early yesterday morning at his home, 322 South Tenth Street. He had been suffering since 1898 from weakness of the heart, and three months ago took to his bed, rallying and weakening alternately until relieved by death. David Wampole Sellers, eldest son of the late Samuel Sellers, and a descendant of Philip Henry Sellers, of Weinheim, Germany, who settled in Bucks County, Pennsylvania, about 1727, was born in Philadelphia, May 11, 1833. Upon completing his education at the public schools here, he was registered as a student-at-law under the late Judge John Cadwalader, and was admitted to the Philadelphia Bar on his twenty-first birthday. He immediately became active as a practitioner, and in January, only four years later, was admitted to the Supreme Court of Pennsylvania, and in December, 1865, to the Supreme Court of the United States.

In the spring of 1858 he was appointed chief assistant to Henry T. King, then City Solicitor, and was continued in that position for eight successive terms. In 1865 he became counsel of the Union Passenger Railway Company, the Chestnut and Walnut, the Continental, and other railway companies; in 1879, of the Pennsylvania Railroad Company; in 1880, of the Philadelphia, Wilmington and Baltimore, the Northern Central, and the Baltimore and Potomac Railroad Companies, all of which he represented at his death.

In all of this Mr. Sellers found time to give much attention to politics, and was always regarded as one of the leaders here of the Democratic party. It was the high regard for his fairness and astuteness that caused him to be sent by request of the Democratic National Committee to Florida, in 1876, to represent the Democratic electors of that State before the returning board in the famous Tilden-Hayes contest for the Presidency of the United States. Mr. Sellers was frequently chosen as a delegate to important Democratic conventions, and, as chairman of the Committee on

Rules took an active part in the revision of the rules of the Democratic party in Philadelphia a few years ago.

His connection with the Fairmount Park Commission has been both intimate and valuable to its best interests ever since he took his seat at its board in May, 1876. It was largely through the influence of Mr. Sellers that the triangle at Twenty-fifth and Spring Garden Streets, the acquisition of which cost some hundreds of thousands of dollars, was annexed to the Park. The extension of the boundaries of the Wissahickon ravine, the adjustment of the boundaries of the Reading Railway in the Park confines, the acquisition of Roberts Hollow, near the Country Club, at Bala, and the building of Roberts Hollow drive were projects with which Mr. Sellers had been actively identified. For two years before his death he had been president of the commission.

Mr. Sellers was a member of the Lawyers' Club, the Rittenhouse Club, the Clover Club, Historical Society of Pennsylvania, Pennsylvania Society of the Sons of the Revolution, the Young Men's Democratic Association, of which he was president for several years, and a member of the Board of Managers of the Zoological Society. He was also vice-chancellor of the Law Association, and vice-provost of the Law Academy.

He is survived by his widow, Anna Frances, the daughter of the late Rev. Dr. Joseph Jaquett of this city, and a descendant of Jean Paul Jaquett, governor of Delaware in 1655; a son, Edwin Jaquett Sellers, who has for some years been associated with him in the practice of the law, and five daughters,—Agnes and Elizabeth, unmarried; Mrs. Edward P. Vogels, Mrs. Marcellus Coxe, and Mrs. G. Howard Stirling."

(Editorial.)

"David W. Sellers, who died yesterday, was a genial, and in many respects a brilliant citizen. All through his life he had a considerable part in affairs, always with advantage to

the public and credit to himself. For nearly a quarter of a century he was a member of the Park Commission and its president at the time of his death. His intelligence, foresight, and enterprise enabled him to render the public most valuable service in the enlargement and improvement of the city's great Park. He was ever progressive in all these official undertakings, and his experience and long familiarity with the work of the commission, of which he was such a faithful and competent member, will be greatly missed. At the Bar he early took the front rank and held his place there. He had a most attractive personality; few men have enjoyed a larger acquaintance in this community; he was a good and sunshiny friend and a useful citizen."

(North American, December 25, 1901.)

"David W. Sellers, lawyer, politician, and president of the Fairmount Park Commission, died at 3 o'clock yesterday morning at his home, 322 South Tenth Street, from heart disease. He was 68 years old.

During the past few years Mr. Sellers had been in poor health. A complication of diseases forced him to take to his bed three months ago, and his death was expected by the family.

Mr. Sellers was a most successful corporation lawyer. His counsel was frequently sought by persons from a distance. In 1876 he gained distinction by being selected by the Democratic National Committee to represent the Democratic electors of Florida before the returning board in the famous Tilden-Hayes contest for the Presidency of the United States.

ACTIVE IN DEMOCRATIC POLITICS.

In politics he was active in the conduct of campaigns of the Democratic party in nation and State. In 1895 he succeeded William F. Harrity as president of the Young Men's Democratic Association.

His election to the presidency of the Park Commission was made December 8, 1899, following the death of President James McManes. He was a member since April, 1876, and for many years its vice-president.

Serving for years as chairman of the Committee on Land Purchases and Damages, he was largely instrumental in securing an extension of the boundaries of the Park along Wissahickon Creek, and also securing additional land in West Park to Roberts Hollow, near Chamounix.

Mr. Sellers was born in Philadelphia in 1834. From the Central High School he entered the office of the late Judge John Cadwalader. He was admitted to the Bar in 1854.

AUTHORITY ON MUNICIPAL LAW.

Early in his legal career he became chief assistant in the City Solicitor's office, serving eight successive years under Henry T. King, Charles E. Lex, and Frederick Carroll Brewster. He became a recognized reliable authority on municipal law, and after vacating this office was engaged as counsel in various suits against the city.

In January, 1877, Mr. Sellers was the Democratic candidate for City Solicitor, but was unable to overcome the great Republican vote, and was defeated by W. Nelson West by a majority of 7548.

In December, 1879, he was appointed by the board of directors of the Pennsylvania Company one of the local solicitors of that corporation. He was a member of the Lawyers' and Rittenhouse Clubs and active in the order of Sons of the Revolution.

Mr. Sellers married Miss Anna Frances Jaquett. He had one son, Edwin Jaquett Sellers, who adopted his father's profession. The daughters are Misses Agnes and Elizabeth Sellers, Mrs. Edward P. Vogels, Mrs. Marcellus Coxe, and Mrs. G. Howard Stirling.

PARK BOARD TO HONOR MR. SELLERS.

A meeting of the Commissioners of Fairmount Park has been called for next Friday, to take action upon the death of President Sellers. It is not probable that any immediate action will be taken by the Board in electing his successor. The duties of the office will be discharged temporarily by Vice-President James L. Miles."

(*Inquirer*, December 25, 1901.)

"David Wampole Sellers, president of the Park Commission, and one of the most widely known and respected members of the Philadelphia Bar, died early yesterday morning at his residence, 322 South Tenth Street, at the age of 68 years. Mr. Sellers has been in failing health for fully a year past, and his death did not come unexpectedly to the members of his family, all of whom were at his bedside during the last moments. The immediate cause of his death was heart failure and the complications which are due to weak heart action. He is survived by a widow and five daughters, the Misses Agnes and Elizabeth Sellers, Mrs. Edward P. Vogels, Mrs. Marcellus Coxe, and Mrs. G. Howard Stirling, and one son, Edwin Jaquett Sellers, who has for some time been associated with his father in his law practice.

Mr. Sellers was born in this city on May 11, 1833, was educated at the public schools, and studied law under Judge Cadwalader. He was admitted to the Bar in 1854, and has practised law in this city until his retirement, a little over a year ago. For eight successive years he served as chief assistant in the City Solicitor's office under Henry T. King, Charles E. Lex, and F. Carroll Brewster, during which time he disposed of many of the most important cases affecting Philadelphia, and so familiar did he become with municipal law that he was considered one of the most reliable authorities in that branch of his profession in the country.

In 1879 he was appointed one of the local solicitors to the Pennsylvania Railroad Company in succession to Chapman Biddle. Two years before he had been a candidate for the City Solicitorship, but was defeated by W. Nelson West, the Republican candidate. About the same time he went to Florida at the invitation of the Democratic National Committee to argue before the Supreme Court in the famous Hayes-Tilden contest for the Presidency of the United States.

It was in 1876 that Mr. Sellers was elected a member of the Park Commission to succeed Theodore Cuyler, and to the day of his retirement he was always one of the most active and influential members of the body. He was elected to the presidency on December 8, 1899, to succeed the late James McManes.

Few men were so universally admired and respected at the Philadelphia bar as was David W. Sellers, and his extensive knowledge of the law and great ability will make his loss felt throughout the legal community.

The Board of Commissioners of Fairmount Park will meet to-morrow at City Hall to take suitable action upon Mr. Sellers's death. After the meeting they will attend the funeral in a body."

(*Times*, December 25, 1901.)

"David Wampole Sellers, one of the best-known lawyers of this city, and president of the Fairmount Park Commission, died early yesterday morning, at his home, 322 South Tenth Street. For the last three years Mr. Sellers had been suffering from a complication of diseases arising from a weakness of the heart. Although he was in a weakened condition as a result of his sickness, his death was not expected so quickly.

Mr. Sellers was a native of this city, being born here in 1833. After graduating from the Central High School, he took up the study of law in the office of the late Judge

John Cadwalader. He was admitted to the Bar in May, 1854, and until the last few years was continually engaged in the practice of his profession. His rise to eminence was rapid. For eight successive years he was chief assistant in the City Solicitor's office, under Henry T. King, Charles E. Lex, and Frederick Carroll Brewster. Because of his intimate familiarity with legislative acts and Councilmanic ordinances, he became one of the most reliable authorities on these subjects at the Philadelphia Bar.

In 1876 Mr. Sellers was elected by the Board of Judges to be a member of the Fairmount Park Commission. He served on the Commission continuously from that date, and in 1899 was elected president of the body, which position he held at the time of his death. Mr. Sellers was a member of many prominent clubs, including the Lawyers' Club, the Rittenhouse Club, the Clover Club, Historical Society of Pennsylvania, Pennsylvania Society of the Sons of the Revolution, Young Men's Democratic Association, and the Board of Managers of the Zoological Society.

A special meeting of the Park Commission has been called for Thursday, at noon, by James L. Miles, vice-president of the Commission and president of Select Council, at which appropriate action will be taken on his death.

He is survived by a widow, several daughters and a son, Edwin J. Sellers, who has been associated with him in the practice of law for several years."

(Editorial.)

"David W. Sellers was a very able lawyer and a very useful citizen. His broad knowledge of affairs as well as his force of character qualified him in an unusual degree for the public service, but it is one of the misfortunes of Philadelphia that men of Democratic convictions are excluded from elective office. Mr. Sellers nevertheless did serve the city long and well, as one of the most active of the Commissioners of Fairmount Park, whose president he was at

the time of his death, and he was always ready for any proper call upon his time, his influence or his wise advice for the general advantage. His death is a distinct loss to Philadelphia, removing one more of those brilliant Democratic lawyers of the older generation who have adorned the bar and brightened the society of the old city."

(*Record*, December 25, 1901.)

"David W. Sellers, one of the most prominent members of the Philadelphia bar—a sterling character of the old school, and a recognized authority on municipal law—died yesterday. Since 1876 Mr. Sellers had served the city as a member of the Park Commission, and on December 8, 1899, he was elected to succeed the late James McManes as president of the Board.

For the past three years Mr. Sellers had been in poor health, confined to his residence at No. 322 South Tenth street, periodically during that time. He suffered with colds, heart trouble, and a general breaking down of his system. He was 68 years old. Three months ago Mr. Sellers was stricken with a complication of ailments, and he was never able to leave his bed again.

THE TRIBUTE OF A FRIEND.

'My friendship with Mr. Sellers extended back over a period of forty years,' said ex-City Treasurer William B. Irvine last night, 'and I take pleasure in saying that he was the brightest, ablest, and most painstaking man ever holding the office of Assistant City Solicitor. Although he was a Democrat in politics, while I am a Republican, he was my ideal of a public official—a man who always dared do right regardless of who was offended.

If the city of Philadelphia could employ the services of a man like Mr. Sellers he would be worth five salaries rather than be without him. It was Mr. Sellers who very largely aided City Solicitor Frederick Carroll Brewster, who died a

few years ago, in preparation of the Girard will cases, which involved the millions left by the late Stephen Girard, and was the final chapter in the long-drawn contest of heirs, being a most brilliant victory for the city. He was appointed an assistant by the late Charles E. Lex, who was City Solicitor in the sixties, and he was continued in office by three succeeding City Solicitors, all Republicans.

EXPERT IN MUNICIPAL LAW.

During Mr. Sellers's connection with the office of City Solicitor he framed many ordinances and acts, which securely intrenched the city against future litigation, and to-day form the impregnable defence of the city in damage suits and other legal proceedings. He knew more municipal law than any person since connected with the city government. Every case he was connected with, for the city, was invariably successful. He prepared his cases in the most explicit manner, and his reputation for integrity was far above even a suspicion of reproach.'

There will be a special meeting of the Park Commission to-morrow at noon, to take suitable action on the death of its president. Arrangements for the funeral have not been completed.

DISTINGUISHED LAWYER'S CAREER.

Mr. Sellers was a native of Philadelphia. He passed through the grammar schools and was graduated from the Central High School, after which he entered the law office of the late Judge John Cadwalader. He was admitted to the Bar in May, 1854, and for nearly half a century was a successful and honored practitioner. Mr. Sellers's long connection with the City Solicitor's office so familiarized him with acts of Assembly and Councilmanic ordinances that he was frequently retained by the city as special counsel.

In January, 1877, Mr. Sellers was entered in his first and only political race. He was nominated by the Democratic party for the office of City Solicitor, but at the election

which followed in February he was defeated by the low majority of 7548 by W. Nelson West. In December, 1879, Mr. Sellers was appointed by the directory of the Pennsylvania Railroad Company to the office of local solicitor for that corporation. Shortly before that time he figured prominently before the whole country in connection with a disputed Presidential election, going to Florida at the invitation of the Democratic National Committee to appear before the Supreme Court of that State.

HIS WORK FOR FAIRMOUNT PARK.

Ever a friend of municipal improvements, Mr. Sellers has had much to do with the beautifying and enlarging of Fairmount Park. He was largely instrumental in securing additional land and extending its boundaries along Wissahickon Creek and the carrying of West Park up to Roberts Hollow, near Chamounix. He officiated in the Board as chairman of the Committee on Land Purchases and Damages. On December 5, 1899, he was elected vice-chancellor of the Law Association of Philadelphia, and he was also vice-provost of the Law Academy.

In private life Mr. Sellers was well known socially, being a member of the Rittenhouse Club, the Clover Club, the Historical Society of Pennsylvania, and the Pennsylvania Society of the Sons of the Revolution. He was a member of the Zoological Society, and for several years its president. He married Miss Anna Frances Jaquett, daughter of the late Rev. Joseph Jaquett, a descendant of Jean Paul Jaquett, governor of Delaware in 1655. The deceased is survived by his widow, five daughters, and one son, Edwin Jaquett Sellers."

Proceedings of the Board of Commissioners of Fairmount Park upon the announcement of the death of David W. Sellers, Esq., late president of the Board:

“OFFICE OF THE COMMISSIONERS OF FAIRMOUNT PARK,
PHILADELPHIA, December 26, 1901.

A Special Meeting of the Board was held this day at twelve o'clock M., at the office of the Commission.

The vice-president in the Chair.

The formal announcement of the death of President David W. Sellers was made to the Board by James L. Miles, vice-president, who said,—

‘GENTLEMEN,—As vice-president of this Commission, it becomes my very sorrowful duty to announce the death of our colleague and president, David W. Sellers. His long service in this Commission, his conspicuous ability, and his love for the work he so enjoyed, has made him the most useful member of this Commission. I have, therefore, taken this first opportunity after his death of calling the Commission together, in order that appropriate action shall be taken in regard to his death.’

Mr. Snowden then spoke as follows :

‘GENTLEMEN,—I have prepared a minute expressive of our profound regret at the calamity which has befallen the family of the deceased, this Commission, and the general public in the death of our late president, David W. Sellers.

I have been intimately associated with Mr. Sellers for over twenty years, and in all that time I grew steadily in appreciation of his qualities,—his marvellous tact, which has served us on so many occasions, his enthusiasm in the work of the Commission, his high purpose, and, above all, his kindly disposition. It is not often we find in one man the executive and administrative qualities so admirably united as in Mr. Sellers, to which were added a gentleness of manner and a sweetness of disposition, which made sunshine displace shadows and light to shine wherever he went. He was a very rare man. He had many trials in life, but they never seemed to dampen or depress his spirits.

He was always the same light-hearted, genial, but earnest man.

His profound knowledge of the law gave him an especial equipment in the handling of difficult questions coming before the Commission. He combined with this a rare tact, which enabled him, at all times, to accomplish the best results. We have all seen him on occasions when a more restless spirit would have taken radical measures, but he never lost his calm self-possession. He never stated any proposition, never advanced to any position without the approval of his fellow-Commissioners.

No man ever connected with this Commission has served the city of Philadelphia better than Mr. Sellers; no man ever accomplished more difficult tasks than he. The last and most serious subject which he adjusted was the long-standing dispute respecting the boundaries of the Philadelphia and Reading Railway Company, within the Park limits. For many years this matter remained unsettled—Mr. Sellers not only arrived at satisfactory conclusions, but did so with the hearty approval of both the interested parties.

He has gone and left us to carry on this work so long as the good Lord allows us to remain. I trust we may do so with the fidelity and zeal which characterized his labors.

I cannot go into an extended eulogy. I am not talking to an outside audience. I can say nothing of our departed friend that you do not know, that is not in all our hearts. He was certainly one of the sweetest characters I ever knew.

I offer the following minute for adoption :

The death of David W. Sellers, Esq., our late president, comes as a personal sorrow and bereavement to every member of this Commission, to each of whom he had endeared himself by the charm of his personality.

As a Commissioner he has left a record for fidelity to duty—for earnest, intelligent and effective labor—excelled

by no member of the Commission since its organization.

His profound knowledge of the law, his long and honorable connection with the Law Department of the city, gave him an especial equipment in meeting questions of law and the methods of procedure when presented for the action of the Commission. He was always an intelligent and safe counsellor, whose guidance the Commission followed with implicit confidence.

Mr. Sellers was appointed a Commissioner to succeed the late Theodore Cuyler, on April 12, 1876. He was elected vice-president on January 11, 1890, and president on December 8, 1899, and departed this life in the early morning of December 24, 1901.

To attempt a formal summary of his labors for the development of the people's great pleasure ground would be to enumerate nearly every important work accomplished during his connection with the Commission. He loved Fairmount Park, and his unselfish labor in its development was made easy to him as it was a "labor of love."

He inspired his associates in the discharge of their varied duties by his example, his confidence, and his sympathy, whilst he endeared himself to all by his kindness and gentleness of spirit.

As a citizen and public official he commanded our confidence and esteem; as a man he had our unchanging affection.

Resolved, That a copy of this minute be transmitted to the family of the deceased.

Resolved, That the members of the Commission attend the funeral of the deceased president in a body.'

Mr. Stokley seconded the motion to adopt the minute and said,—

'GENTLEMEN,—On this occasion I feel a very great personal sorrow, because I knew Mr. Sellers as a boy. We

were associated together in very early life. I shall always remember one occasion, when he was about nine years old, that he delivered an oration on the life and character of General Washington. I do not propose to make a speech—I am not a speaker—but I want to say that I fully endorse every word that Colonel Snowden has uttered.’

Mr. Thompson then spoke as follows:

‘GENTLEMEN,—A trust which concerns the administration of the affairs of a park like Fairmount Park is one of no ordinary significance. It concerns its maintenance, preservation, improvement, and adornment; it is one in which the municipality has the profoundest interest. Civic pride naturally has for its bases judicious methods of administration, an effective system of transportation, perfect sewerage, an ample supply of pure water, wise measures to secure health, superb buildings, and magnificent parks. To the performance of the duties of a trust so significant, Mr. Sellers brought unusual ability and a fidelity which cannot be overstated. Whenever any work was to be done in the Park, he inquired into its necessity; whenever any marked improvement was to be made, his investigation was complete as to its importance; whenever any adornment was to be accomplished he was alert to ascertain the efficiency of it; whenever the Park was to be extended by increasing its limits, he was on the ground to see the necessity of such extensions and the importance of them.

I remember upon one occasion, when we were taking into the Park some additional territory, I said to Mr. Sellers, “It seems somewhat harsh to my mind, somewhat inequitable, to take private property for the recreation of the masses.” He replied, “Oh, yes; that is true, but individual injury often occurs for the benefit of the masses.”

The records of this Commission contain enduring evidence of his fidelity. And, as the compass guides the mari-

ner, so I trust that such records will be a clear guide to us in the performance of our duties, and to those who shall succeed us.

Mr. Sellers, personally, was a man who hated antagonisms; he disliked hostilities; he turned his back upon bitter hatreds. He was kind and gentle. He sought to avoid all possible friction, whether in his private life or his public duties. "*Æquam servare Mentam.*" He sought to preserve an equal mind under all circumstances. D'Israeli said that "Great brains and small affections" were the essential qualities for success in public life. Mr. Sellers, I am happy to say, illustrated that in one respect the suggestion was at fault. He possessed great brains and strong affections. No man ever came close to Mr. Sellers without being impressed with the conclusion that he was indeed a man of the strongest affections. So strong have those affections been manifested that in all directions, everywhere you hear the same profound regret at his loss.

He possessed gentleness, kindness, and consideration—the qualities which Massenger said "befit a soul moulded for Heaven."

I am quite sure that the impression that Mr. Sellers has left behind for his gentleness, his consideration, his kindness will be one that will not be eradicated by time.'

Mr. Pollock spoke as follows:

'GENTLEMEN,—I had not intended to say a word here to-day; indeed, I can say nothing to add to what has already been so well and aptly said by the gentlemen who have served with him a longer term than I, but I have known him as a younger man, many years ago, and admired him. He appeared to have the qualities of manhood that I do admire, and that I am inclined to attach myself to. It has been my privilege to see him often during his sickness. I have sat with him and enjoyed his reminiscences, and the geniality of his kindly, loving disposition.

One of the very last things that made an impression upon me was his taking out of his inside pocket, one day about two weeks ago, when I visited him, a note that he had just received from the secretary of the Commission, notifying him that the ordinance had been signed by the mayor, appropriating additional ground for the Park. I might perhaps have expected to see a notice of that kind lying about the room in a careless way, but the fact of his taking it out of his inside pocket, where he had placed it so carefully, impressed me, and what I observed in his condition and manner led me to believe that he was soon to be taken away. It was the closing up of a matter that I know he had carried on his soul and conscience for a long time,—the taking of that land for the beautifying of the Park.

I can only say that his loss is a personal sorrow to me, and it will be a long time before we will see a man with so kindly a nature as Mr. Sellers.'

Mr. Henry spoke as follows :

'GENTLEMEN,—I cannot add anything to what has already been said, but there is a little experience that I think might be of interest to relate. Within the last two weeks I had the pleasure of visiting Mr. Sellers. He had seen something in the paper which he did not understand, about the Reading matter, and when explained to him, he was so gratified that I could see the smile on his face. He said, "Henry, that has been before the Commission, I think, for twenty years; it has been one of the works of my life, and to have it adjusted at last with justice to the city and at the same time with satisfaction of the Philadelphia and Reading is a great comfort to me."

I told him that the ordinance appropriating additional ground in the Twenty-fourth Ward for park purposes had passed that day, and it was another source of great gratitude. He seemed to feel that the work in which he was so

deeply interested had been accomplished. He said, "I will talk more with you about it some other time, and I am much pleased with what you have told me."

The minute, as offered by Mr. Snowden, was unanimously adopted.

THOMAS S. MARTIN,
Secretary."

The foregoing resolutions were printed in all the daily papers.

(Evening Bulletin, December 26, 1901.)

"The funeral of David Wampole Sellers, the eminent lawyer, who died the day before Christmas, will be held in St. Peter's Church, Third and Pine Streets, to-morrow afternoon at two o'clock.

The Rev. Richard H. Nelson, rector of the church, will conduct the services, and the choir will sing 'Abide with Me' and 'Nearer, My God to Thee.' Eight of the Fairmount Park Guards will carry the body to its last resting-place, the following men acting as honorary pall-bearers: James T. Mitchell, James A. Logan, Samuel Gustine Thompson, Samuel Dickson, John Cadwalader, George Tucker Bispham, Colonel A. Loudon Snowden, S. Davis Page, Victor Guillou, John Samuel, General C. H. T. Collis, Silas Pettit, Henry Flanders, P. F. Rothermel, Dr. Orville Horwitz, Dr. William H. Bennett, M. Russell Thayer, C. Stuart Patterson, William H. Joyce, and several others who have not been heard from as yet."

Addresses delivered at the meeting of the Philadelphia Bar, held December 27, 1901, upon the occasion of the death of David W. Sellers, Esq., as reported in *The Legal Intelligencer* of January 3, 1902:

“IN MEMORIAM—DAVID W. SELLERS, ESQ.

A meeting of the members of the Philadelphia Bar was held in the Supreme Court Room, on Friday, December 27, 1901, at 11.30 o'clock A.M., to take action upon the death of David W. Sellers, Esq. Hon. James T. Mitchell was called to the Chair, and Gavin W. Hart, Henry C. Terry, and George Stuart Patterson were elected secretaries.

Upon taking the Chair, Mr. Justice Mitchell said,—

‘BRETHREN OF THE BAR,—The sad occasion that assembles us together to-day brings home to our hearts the sense of personal loss that dictated these meetings when they began long ago in a small Bar closely drawn together by community of studies and of labor. That feeling has not often been quite possible to realize, of late years, in the larger body and more driving life of the present Bar.

But no Bar was too large, and no life too hurried to outreach the sympathies of our departed brother. They encircled all from oldest to youngest as in close friendship, and they were loyally repaid with affection in kind. I think I do no injustice to any of the lessening band of seniors who survive, when I say that never again in our day will this Bar come together, with the same feeling of personal bereavement, to pay their admiring and affectionate tribute to such a union of head and of heart as made him not only the leader in the highest walks of the profession, but his presence an honor, a pride, and a delight to every one of his brethren. Never was time or place or gathering that his coming was not hailed with heartfelt welcome. The gap in the hearts of all who knew him can never be filled.

I cannot say more without trespassing on the province of those who will say it better, but I could not have said less without violence to the dictates of a close and daily friendship of half a century.’

John Samuel, Esq., said,—

‘MR. CHAIRMAN,—I have a minute which I trust will meet with the approbation of this meeting :

“The Bar of Philadelphia sincerely mourns the loss of their late associate, David W. Sellers. Of great natural intellectual powers, and acquired legal knowledge, a thinker as well as a student and scholar, he was yet a wise man of affairs, and had, by his own unaided efforts, obtained for himself a position among the highest in the profession. As a practitioner, he won the respect of the Bench, not more by his legal mastery over his cases, than by his frank, ingenious, and direct presentation of them. He commanded and enjoyed the admiration and personal attachment of his professional brethren, by his truthfulness, his sincerity, and his fair dealing. He had no professional jealousy ; nothing was more pleasing to him than the display of ability by his rivals. His civic virtues and wise judgment and usefulness as a citizen are attested by the great number of public and charitable organizations which sought his services as a manager. While the memory of his intellectual achievements may, by time and the immediate presence of similar qualities, become somewhat dim, the Bar of Philadelphia cannot forget, but will always cherish the recollection of his amiable kindness and endearing charm.”’

Mr. Samuel then spoke as follows :

‘It has been allotted to me to voice—if indeed I can—the deep feeling with which the Bar of Philadelphia has learned of the death of David W. Sellers. I think I may, without exaggeration, truly say that to our Bar, to each one of us, the loss of David W. Sellers has come more in the sense of a personal bereavement than would that of any other of our associates. This has arisen not so much from admiration of his professional acquirements and achievements, which were many and important, but by reason of the attractive personal charm of his character which made all association

with him—even the contests of the legal arena—moments of satisfaction and pleasure.

Mr. Sellers was born in 1833. He entered the office of my preceptor, the late Judge Cadwalader, in 1851, just after I had completed my studentship there. My acquaintance with him commenced after his admission to the Bar in 1854, and, fortunately for me, our friendship has never been interrupted. No one, but an idler or a stupid man, could leave that office without being thoroughly inoculated with the legal germ. Mr. Sellers was neither idle nor stupid. He was an eager learner, with a quick, apprehensive intellect, grasping, it seemed, intuitively, what it took others much greater pains to acquire; and, what I think is unusual in that kind of a brain, he retained firmly what he had gained, and had it always ready for his guidance and use. Strange also to say, with that character of intellect, he was accurate and precise in his statements of principles, and most methodical and exact in his business. He never had to look for a paper, and had every working-tool of his calling always at hand and ready. Though not an obtrusively pushing man, with no self-advertisement, such abilities as he possessed were soon found out, and he was at an early age employed in the City Solicitor's office. There he remained over eight years, and acquired such a minute and comprehensive knowledge of municipal laws, traditions, and business that it is not too much to say that his services became a necessity to those having litigation or business of that character. I am told by one of his successors in that office that, for years after he had left it, he was the paramount authority to whom city officials resorted for advice. It is truly said that no man is indispensable,—some one at once takes his place,—but I am much mistaken if that great corporation which had the benefit of Mr. Sellers's services for so long a time will not for many years seriously feel the loss they have sustained by his death.

His acquaintance with municipal affairs thus obtained begat in him a great love for the people and the city of Philadelphia. I do not know of any man who had studied more, and better understood, the needs and requirements of this great city, or the most expedient methods for their acquisition. He was continuously striving something for its benefit and beautification. I believe that, in the opportunity it gave him for the accomplishment of his desires in this respect, his appointment as one of the Commissioners of Fairmount Park gratified him more than any one of the many similar positions to which he was called. When it had been determined to erect the City Hall where it now stands, Mr. Sellers arranged a plan to convert all of the ground between the southern end of the building and Chestnut Street from the Mint on the east to a like distance westward on Chestnut Street into a public open plaza, which might be used as a flower market in the early hours of the day, and a place of public assemblage later. You who see it now, cased in and obscured from view by many-storied enclosures around it, can judge of the *coup d'œil* and perspective which would have been given to this massive pile by such an open space, and what a "thing of beauty" and usefulness such a place in the heart of the city would have been to its citizens. The ground then could have been obtained for a comparatively small sum,—if I recollect rightly, under half a million of dollars. A private subscription was started by Mr. Sellers for the acquisition of this land, but our citizens then had not as yet learned the importance of such municipal beauty, and the plan was, I recall well, to Mr. Sellers's chagrin, abandoned.

On account of his intimate acquaintance with election litigations, he was selected by the Democratic National Committee to accompany the late George W. Biddle to Florida, to argue before the tribunals there the difficult questions arising out of the contested Presidential election of Mr. Tilden and Mr. Hayes. This was a great responsi-

bility to be imposed on so young a man, but Mr. Sellers, in the face of the furious passions of the hour, patriotically (for I know that it was done at considerable personal sacrifice) accepted the duty. How well he performed it, what friends he made in the performance of that duty, let the universal acclaim of those who met him answer. No man from the Florida Bar or from those of any of the adjacent States who came to Philadelphia for years after that but inquired first of all for Mr. Sellers. What stores of information of Southern life and character, what living pictures of what he saw there, those of us who can remember his delightful conversation on his return can recall. He had one other great faculty beyond his legal knowledge,—“the art of doing things.” He knew what could be, and what could not be, acceptably proposed to be done. He was most fertile and suggestive in expedients. While other men were standing by, discussing legal propositions, Sellers was already at work arranging and planning, so that in a little while what seemed at first most difficult came so easily to pass that all were astonished at the result. He was a bold, though safe, adviser.

But it is not of Mr. Sellers’s professional or intellectual achievements that I wish now to speak. Of good and capable lawyers there will always be a plenty; but how rare, how infrequent, are the personal characteristics which were the magnet which drew all men towards him. It is on Mr. Sellers’s disposition and character that I would like to dwell. Were it not that there is something femininistic in the word,—and there never was a more virile man than Mr. Sellers,—I should use “lovable” as the only proper phrase descriptive of him. He was a “lovable” man. His temperament was sunny and joyous. It was not an affected or pumped-up gayety. His charm was not that of mere manner, which is so frequently the thin veneer of indifference. It was real; it was the man. Kindliness was the essence of his being, shining from his countenance

and in his behavior. You could not make him think ill of any one. Was he not the fairest man any one ever dealt with? Did any of his fellow-lawyers ever feel any resentment against him, no matter how he had conquered? Did victory to him ever leave a sting with his adversary? Did he ever take any undue advantage of an opponent? Nay, was he not always ready to repair his adversary's slips? Was there the slightest indirection about him? Was there ever a man who came away from an interview with Mr. Sellers but what felt brighter and better for it? The veriest pessimist, under Mr. Sellers's joyous influence, became less hopeless.

He was a member of that Political Economy Club founded by Judge Sharswood, of which you have often heard, and which, had I not myself been a member, I should like to have said contained the choicest spirits of the young Bar at that time; and I well recollect how I used to watch and wonder at the struggle that went on in Mr. Sellers between his intellect and his emotions during our talks. While his intellect accepted the conclusions of the Political Economists, yet his heart was always rebellious against the indifference to individual suffering, which he and others felt was characteristic of those schools. And this same struggle took place with him in all his relations in life. He could not bear that people shall be punished, no matter what they had done. Indeed, with him, no one was entirely guilty. There was always something to be said for him. Who does not recall how never one of us was in trouble but found Mr. Sellers alongside of him? He did not court millionaires or men in office, but let a man be attacked or down, and there was Mr. Sellers with him, cheering, assisting, and endeavoring to save him. Of course, with such love for his fellow-man, he was eminently social; companionship, the attrition of mind with mind,—reciprocity of good feeling,—was essential to him. The comic side of life was very vivid to him. He was a racon-

teur of the first class, and, better still, a good listener. Who ever heard that infectious laugh of his that can forget it?

For those who come after us, to preserve as well as may be his fame, always in our profession so evanescent, I have endeavored to sketch the lineaments of our late comrade. I shall have failed if I have not made it apparent to you that it was the "character" of Mr. Sellers, as it is in all men, that is so much more admirable and valuable than mere achievement.'

Judge Willson said,—

'MR. CHAIRMAN,—There are times when one would almost prefer to sit in the silence of his sorrow, rather than to break the silence even for the uttering of words of grateful memory and cordial appreciation. Though this is the disposition of the moment with me, I would consider myself recreant to duty if I failed, in this gathering of our profession, to pay my tribute of personal regard to him who has just been taken from our midst, and to make mention of some of those elements in his life and character which gave him distinction as a lawyer and citizen.

My first close acquaintance with Mr. Sellers began at a time when, entering upon the discharge of duties connected with the Law Department of this city, such as he had shortly before laid aside, I found it convenient at times to go to him for counsel. No man could have been more ready or sympathetic than he was to help a professional brother in his work. Carefully trained according to the thorough methods of study which then prevailed, he was early recognized as a lawyer fit for the sharp and stern contests of the forum, as well as for the quiet consultation of the office.

He always struck me as a sort of connecting link between a generation of lawyers now extinct and those of more recent days. Those older men had an individuality

which had a quaint charm about it, as well as a large degree of manly vigor. Sometimes, perhaps, one is tempted to wish that the old type, with its strict and exclusive devotion to the law, might return and abide. Doubtless, we have men as strong, as able, as well endowed with high character, who adorn our profession equally with those of the days to which I refer. But, still, methods have changed. Our method of practising law has changed; and, to a certain extent, the atmosphere of the law has changed. I take it that Mr. Sellers himself—indeed, I am sure from what he has said to me—never fell kindly into the modern methods of stenographers and typewriters. He was in no respect antiquated, but he had a love for the old ways. We who knew him well in years gone by remember him as putting into form with his own pen and in his own brief style the papers, pleadings, agreements, which he had to draw. We think of him as working up his own cases, studying the books for himself, and reaching, by his own independent examination and effort, the conclusions which he enforced in any case which he had to try or to argue.

As a lawyer, he was thorough to a degree which we may all well imitate; not fond, I think—as many of the lawyers to whom I referred, the older lawyers, were not—of multiplying references to cases, but fond, thoroughly fond, of studying and familiarizing himself with the principles which are at the foundation of all cases.

In the presentation of a case before a court or jury, I think all must have been struck with the earnestness and sincerity of the man. I think of him as he has tried cases before me, or as I have seen him trying other cases; and the simplicity, the directness and earnestness of his style, and the completeness of his preparation for the contest were models for any lawyer to follow. At the same time, the courtesy which he exhibited, both to the court and to counsel, as well as to witnesses, was beyond all praise. No

forceful advocate was ever more uniformly kind and considerate than was he.

Perhaps there was no quality which he exhibited more distinctly or prominently than that of fairness. This is a gift which, as lawyers, we ought all to cultivate and prize highly. Any man who has it to such a degree as Mr. Sellers had is a marked man in his profession. I think I speak the judgment of every lawyer here to-day, when I say that Mr. Sellers, in all his relations with others, with his clients and with his brethren at the Bar, was essentially and radically a fair and true man; that he never took an undue advantage of another, but was always manly, open, and generous in thought and conduct.

Mr. Chairman, it seems to me that when we think of Mr. Sellers in the days and years to come, we will think of him not so much as having brought honor to our profession as we will of the man and his manly traits of character. Some of us have been in a cathedral, where there seemed to be an atmosphere which pervaded the entire building and gave character to all that was in it,—to the graceful statues, the beautiful paintings, the robes of the priests, and the music of the choir,—some subtle influence which could neither be defined nor described, but which was a positive force. So there are men who, whatever may be their relations in life or the work which they are called on to do, carry about with them something, some subtle interior thing, which speaks out and manifests itself in all that they do. Whether they are merchants, lawyers, preachers, or artists,—whatever they may be,—they carry with them an indescribable atmosphere which impresses itself upon all with whom they come in contact, and gives them a characteristic which attaches to them and to their memory as long as they are known or remembered.

Such a man was Mr. Sellers,—a true, noble man, one of nature's noblemen, generous, kind, forbearing, patient, loving, constant in his affection for those whom he trusted,

ever ready to help them to bear the burdens of life, and living himself before them in such a way as held up a high standard of personal conduct. He has left behind him for his children and for us all a name and example which, I am sure, we shall never forget. It is true, as you have said, sir, that no man of this Bar could have dropped out of its ranks and left a deeper mark of his own personal influence and presence than he whom we mourn to-day.'

Judge Ashman said,—

'I knew Mr. Sellers in his youth—I was going to say, in his boyhood; I watched him through the progress of his manhood; I shall stand to-day at his grave. And I know that, beneath the changes which time may have wrought in his person, and it does not seem to me that they were many, there always remained unchanged that sprightliness of humor, that sunniness of disposition, and that store of human sympathy which made him so delightful a companion and so brave and true a friend.

In addition to these, which might be termed his more personal characteristics, he possessed in full measure those intellectual and moral endowments which entitled him to leadership among men. He had, more largely than most men, that clearness of thought which amounted almost to the intuitions of genius, which enabled him to see through the intricacies of a proposition, and which made what is a task to most men a recreation to him. He was a student of books and men, and his charming personality drew to him insensibly the affection of his fellows. He had other and more shining qualities. He was a born orator. He was a master in wit and a poet in language. He was heard with something more than delight at the social banquet, or at the more public gatherings where men are wont to assemble for business or politics. He was calculated to take the front rank in any calling, but he undoubtedly shone pre-eminent in his chosen profession. He had mas-

tered the science of the law, and he brought to its practice the skill of an artist. It was more than a pleasure—it was a schooling to watch him before a jury, as, with exquisite tact, he drew the truth from an unwilling witness, and with wit and eloquence, and, if need be, with invective, compelled a verdict. I have heard him, Mr. Chairman, in that forum and before the court *in banc*, and I never listened to him except with delight and despair.

It was a subject of wonder with many of his colleagues, with most of his colleagues, that he never seemed to have any desire for preferment; that he never sought the honors of political or judicial or legislative appointments. He was right, however, in this. The most noble figure in English history, I take it, is that of the Great Commoner, and the most illustrious names, perhaps, that adorn our profession are the names of great advocates. Mr. Sellers did accept one public trust, and you know how, for a quarter of a century, without emolument, he performed with superb ability its duties.

It is too soon, he has left us too recently, to enable us to form a just estimate of the value of his service to the Philadelphia Bar. But this we know, and we shall know more assuredly as we count up the results of his life-work hereafter, that he was true to its best traditions, and that he lengthened by his name its long roll-call of worthies.

I confess, Mr. Chairman, to the beauty and dignity of the custom which has brought us together; yet who does not feel the emptiness of any spoken eulogy, however elaborate. You may, if you choose, catalogue the virtues of the departed; you may even, if he had any, refer to his failings; you may tell, in minutest details, the story of his life, and yet the spirit of the man, that which makes up his entity, must always elude your grasp.

The painter's work, I think, is better; and if I had the skill of an artist, I would draw the portrait of our dead friend on the canvas, and reproduce as well as I could the

lineaments which we knew so well. I cannot do it. But a picture, more vivid and true than any artist could fashion, is already framed in the memories of those who knew and loved him.'

Geo. Tucker Bispham, Esq., said,—

'I have been requested to say something at this meeting, and, in view of the very warm personal friendship existing between Mr. Sellers and myself, as well also of the professional connection between us, there seems to be some propriety in my saying a few words. They will, however, be very few.

I endorse everything (of my own observation and my own knowledge of Mr. Sellers, both as a lawyer and as a man) that has been said by the gentlemen who have already addressed the meeting. As a lawyer, he possessed, in a most eminent degree, those qualities which command success; and I recall my good fortune in being a witness to those qualities at a comparatively recent date. About two or three years ago, Mr. Sellers was good enough to ask me to sit by his side at a trial of a very important case, which lasted about ten or twelve days. I took no active part in the trial. He desired me to be there because his health was somewhat failing, and he was at the time suffering from pain which his courage, his manliness, and his devotion to duty enabled him to overcome. My duty, therefore, was to sit by him, and listen and watch him try that case. He displayed in it the highest qualities of an advocate. There was evidence of the thorough preparation which had been made before trial. There was, of course, a familiarity with all of the principles of law involved. There was a thorough acquaintance with all the facts necessary to be developed by the cross-examination of the plaintiff's witnesses, for he was for the defence. There was that invariable good humor which always pervaded his every action. And I am happy to say that his efforts were crowned with complete success.

It is, however, as has been said, as to those of us who had the fortune and privilege of knowing this gentleman, not only to his legal acquirements, but to his characteristics as a man, that we delight to turn. Reference has been made to his kindness and his geniality. We have all experienced the first. I never shall forget the way in which he exhibited it to me on many occasions. The last, his sense of humor, his wit, his cheery spirit, which survived the attacks of disease, and which no pain or suffering seemed able to impair, lasted with him to the end of his days.

The last time I was with Mr. Sellers was between two and three weeks ago, when he was in his room. He was then suffering, but he greeted me with his accustomed warmth, and my last recollection of the man is, as I parted from him and went away from his room, of the cheerful laugh with which he greeted some observation which had fallen from one or other of us as we parted.

Indeed, I could not help thinking that to him that prayer which occurs in the Litany of one of our churches had been most fully answered,—“From all pride, vain-glory, and hypocrisy; from envy, hatred, and malice, and all uncharitableness, Good Lord, deliver us!” That prayer was fully answered to him. There was no pride with him, except that which comes, properly comes, to every man who has proper self-respect. There was no empty vanity about his achievements, however great they may have been, and they were great. Envy, hypocrisy, hatred, malice were as foreign to his nature as they are to that of a babe. And his was that charity which enfolded in its cloak the sins, however multitudinous, of those around him. He will, as has been said, leave an enormous gap in our Bar, but I am sure that we will all cherish his memory, and, as far as in us lies, profit by his example.’

John Cadwalader, Esq., said,—

‘Although Mr. Sellers was ten years my senior at the Bar, I doubt if there are any present, or, in fact, many sur-

vivors of the Bar, whose recollection of him in connection with the profession goes back as far as mine. I recall very vividly his bright and very youthful face, as in the early winter of 1851, now more than fifty years ago, he came into my father's office. He entered that office, which was then quite full, with a number of men of more than ordinary attainments. I might mention among them Charles G. Leland, known in the field of literature as Hans Breitman; Brinton Coxe, whose scholarship most of you know; Gideon Scull, a brilliant man, who served later with great distinction in the army, and recently died, after having moved to Boston; James Buchanan Henry, the nephew and private secretary of his uncle, Mr. Buchanan, when President of the United States; Emlen Randolph Richardson, the son of the president of the Bank of North America; and Robert Palethorp, who, I think, alone to-day survives.

At that day it was the custom of lawyers to have their offices in their dwelling-houses, and my early education was conducted at home under private tutors during the morning hours. Later in the day it was my habit to go into the office, where association with the students gave me the greatest pleasure. Then it was that I first learned to know and become attached to Mr. Sellers. He was a very attentive and earnest student. He stayed there for more than three years, and I do not think he was ever absent from the weekly examinations. I have often heard my father speak of his devotion to his professional work, and there were few of his students in whom my father took a deeper interest than in Mr. Sellers.

My friendship, so early begun, ripened in later life into the most deep regard; and I confess I find it difficult, without emotion, to express myself to-day.

Mr. Sellers was a very valuable man to this community, and the city as well as the profession owe him a heavy debt of gratitude. He threw into any work that he undertook not only a very high order of ability, coupled with careful

and thoroughly methodical system, but a crisp freshness and vigor that stimulated every one associated with him.

The resolutions that have been offered, and those members of the active Bar, as well as of the Bench, that have spoken, have testified in the fullest way to that fidelity of his character, not only to his clients, but to the Court, and it seems to me unnecessary to add anything more to their force.

But there was another field in Mr. Sellers's life where he gave the strongest possible proof of his fidelity to his convictions and his readiness to make any personal sacrifice to be true to them. I feel this to be an interesting incident in Mr. Sellers's life, and therefore I mention it. I refer to his political convictions. He had grown up in the association and acceptance of the anti-Democratic views, and had been allied with the Republican party, both prior to the Civil War and during its continuance. He had for a number of years been the assistant to several City Solicitors, all of whom had been Republicans. At this period, when he was still a young member of the Bar and his needs were pressing, he became convinced in his own mind of the correctness of the interpretation of the constitutional powers of the Federal government as then declared by the Democratic party, and at once unhesitatingly avowed it.

It was a very different period of our history from the present, when party lines are far less closely drawn. Moreover, the Democratic party was, if possible, less active even than now; and it required no small force of character in any man to support it. To my mind, no act of Mr. Sellers's life points more strongly to the absolute integrity of his nature, or shows more clearly how truly he had the courage of his convictions than that step, taken at such a crisis in his career.

It involved, undoubtedly, great sacrifices; but the suggestion of any other course for him to pursue when he felt satisfied that his opinions could not conform to those of the

dominant party never occurred to him. His was a true and loyal nature, and his companionship was a refreshment in itself. He, as has been said, seemed to make life brighter and happier whenever he portrayed any side of it.

Public-spirited and vigilant as a citizen, brilliant, earnest, and most efficient as a lawyer, true and devoted as a friend, beloved in his home and by all who knew him, he filled a very individual place in this city. His death causes sadness to the whole community, and brings to the younger, as well as to the older members of the Bar, a feeling of personal grief, greater, I believe, than would be created by the loss of any other member of our profession.'

General Collis said,—

'If I, almost a stranger now, may be permitted to share your sorrow, I would like to say a few words, not hoping to add anything to what has been so well said, for that were impossible, but I should regret all my life to have been here and remained silent.

I do not think David W. Sellers was fonder of any other man than he was of me, and he was one of two men I loved more than any others in my life. To have had a place in his heart meant tender care and sympathy in the hour of trouble and adversity; and it meant the strong arm of a valiant soldier, if it were necessary to strike blows. I have been the beneficiary of both. His death is as though the better part of my own life had been taken from me, for he was identified with its most eventful periods.

There is one consolation in my declining years,—I cannot have many more griefs like this.'

THE CHAIRMAN: 'I have received one or two letters, which, if it be the desire of the meeting, I will hand to the Secretary to read.'

Mr. Terry then read the following letters:

' LANCASTER, PA., December 26th, 1901.

DEAR JUDGE MITCHELL :

I was very fond of Mr. Sellers, and, but for an engagement made some days ago for to-morrow, which I must keep, I should certainly attend the Bar meeting, and esteem it a privilege to participate in whatever may be done to honor his memory. He was the first Philadelphia lawyer that I encountered in my practice. It was just twenty-seven years ago, in the old United States Court on Library street, and during the long interval from then to now all my relations with him were of the pleasantest character. He was truly lovable, and sweet memories of him will abide. In his profession he was always a lawyer. To me, no man spoke more like one, and it were well if there were more briefs like his. I cannot now write more of him, but I shall never forget him. To the end it will be pleasant to think of him, and always with the regret that there are not more like him.

Hoping to see you next week, I am, with kindest regards,
Very truly yours,

J. HAY BROWN.

TO HON. JAMES T. MITCHELL.'

' 42 NORTH LIME STREET, LANCASTER, PA.

DEAR JUDGE MITCHELL :

I read of Sellers's death this morning with much sadness. He was a fine character, a great lawyer, and a winsome man. If I could possibly get away to-morrow I should be glad to attend the Bar meeting; but I have invited a large company of people to my house to-morrow evening, and it is absolutely necessary I stay here to make some arrangements for them.

Sincerely yours,

W. U. HENSEL.

December 25th, 1901.'

' 1001 CHESTNUT STREET,
PHILADELPHIA, 26th December, 1901.

HON. JAMES T. MITCHELL :

MY DEAR JUDGE,—I regret ever so much that I cannot be present at the Bar meeting, which, because of the warmth of affection universally felt for Mr. Sellers, must be one of unusual sadness.

Mr. Sellers was so full of vivacity, that even his long illness has not disassociated him, in our minds, from our idea of cheery, happy life. One of the most marked of his characteristics was his kindliness of feeling. Where it was possible to take two views of the conduct of another, he took, invariably, the one most favorable to the person under criticism. Though a man of emphatic, positive judgment, I have never heard him say of any human being an unkind word.

His fidelity to his clients was of the highest. Whilst he never permitted it to influence him in doing for them aught that was not consistent with the keenest sense of honor, his advocacy of their cause gave to them the fullest exercise of the learning and talents which made him for so many years one of the leaders of our Bar.

Such were his resources of natural ability and study that he was ever ready to respond to the greatest demand of a practice which brought within its range nearly every department of the law. All he possessed was ever at the command of his friends. His fund of anecdote and inexhaustible humor made him at all times a most delightful companion. Those who knew him will carry with them forever an undying memory of his lovely character.

Very sincerely yours,

JOHN G. JOHNSON.'

Mr. Samuel then moved the adoption of the minute read by him and the appointment by the Chair of a committee, of which the officers of the meeting are to form a part, to

communicate the said minute to the family of Mr. Sellers, together with the proceedings of this meeting.

This motion was unanimously agreed to, and the Chairman stated that he would announce the appointments later, and afterwards appointed the following committee: Samuel Dickson, Esq., Hon. Robert N. Willson, Hon. William N. Ashman, John Cadwalader, Esq., John Samuel, Esq., Geo. Tucker Bispham, Esq., and Victor Guillou, Esq."

(Editorial from the *Legal Intelligencer*, December 27, 1901.)

"DAVID W. SELLERS, ESQ.

The death of David W. Sellers, on the 24th inst., came as a shock to his many friends, notwithstanding the fact that it was well known that he had been in failing health for some time.

Mr. Sellers was born in Philadelphia in 1834, entered the public schools of the city, graduated from the High School, studied law with Judge Cadwalader, and was admitted to the Bar in May, 1854. He served for eight years as First Assistant City Solicitor during the administrations of Henry T. King, Charles E. Lex, and F. Carroll Brewster, and in that capacity had charge of many of the city's most important cases, and acquired that profound knowledge of municipal law and intimate acquaintance with the practical workings of the statutes affecting Philadelphia and its municipal ordinances, for which he was afterwards so justly celebrated.

Mr. Sellers has always been a prominent leader in the local Democracy, and was for many years president of the Young Men's Democratic Association. In the famous Hayes-Tilden election contest he represented, at the request of the Democratic National Committee, the Democratic electors of the State of Florida before the Returning Board. He was frequently a delegate to important Democratic conventions, and, as chairman of the Committee on Rules, took

an active part in the revision of the party rules in Philadelphia some years ago.

In April, 1876, he was appointed by the Board of Judges a member of the Park Commission, and on the death of James McManes was elected to the chairmanship. He always took the most active interest in the proceedings of the Commission, and to him may be attributed many of the more extensive plans of improvements which have been developed during the period of his service.

Mr. Sellers was endowed by nature with judicial powers of a high order, and had great capacity in dealing with the complicated facts of a critical business situation, a combination which, with his strong common sense, rendered him a safe adviser. As an advocate he had pre-eminently that greatest of all gifts for forensic purposes, the gift of clear statement; marked facility in presenting the salient points of his case with vigor, while disregarding comparatively unimportant details; a power of analysis which enabled him to present an intricate and difficult subject in a way which rendered it readily apprehended; and a mastery of the English language which, when combined with strong emotion, at times raised his forensic efforts to the height of real eloquence.

He was a man of the best professional tone, ever mindful of his duty to the court as well as to his client; fair and frank in the trial of a case to a marked degree, and in his dealings with his professional brethren he was known as a man upon whom one could rely with implicit confidence, and from whom fair treatment and all due courtesy and consideration might be expected. He was essentially a man of broad gauge, seeing things in their true perspective, with a horror of shams which would have gratified even the heart of Carlyle; one, too, of broad sympathies and widest charity; and in his death the profession has sustained a loss which we cannot but think will be felt the more deeply as it is the more fully appreciated."

The foregoing proceedings were published in all the daily newspapers.

(Evening Telegraph, December 27, 1901.

“The funeral of David W. Sellers took place at two o'clock this afternoon, at Old St. Peter's Church, Third and Pine Streets. The church was filled with friends of the dead lawyer. Rev. Richard H. Nelson, rector of St. Peter's, conducted the services according to the solemn ritual of the Episcopal Church. The choir sang 'Abide with Me,' and 'Nearer, My God, to Thee.' There were many floral tributes.

Following is a list of the honorary pall-bearers: Hon. James T. Mitchell, Hon. James A. Logan, Hon. Samuel Gustine Thompson, Samuel Dickson, John Cadwalader, Colonel A. Loudon Snowden, George Tucker Bispham, S. Davis Page, Sussex D. Davis, Victor Gillou, Silas Pettit, John Samuel, General C. H. T. Collis, Dr. Orville Horwitz, Dr. William H. Bennett, C. Stuart Patterson, P. F. Rothermel, General Russell Thayer, Charles Henry, and William H. Joyce. Thomas Hart was also expected to be one of the honorary pall-bearers, but illness at the last moment prevented his attendance.

The Park Commission, of which Mr. Sellers was president, attended in a body, and the remains were borne to their last resting-place in the family vault in Old St. Peter's Church-yard by eight of the Park Guards.

FELLOW-LAWYERS EULOGIZE HIM.

With bowed heads and sad countenances, many eminent jurists and lawyers, railroad magnates, civic officials, and men of high professional standing in the community sat in the Supreme Court chamber to-day and sorrowfully listened to and made masterly speeches eulogizing Mr. Sellers. It was one of the largest Bar meetings ever held in the local courts in honor of the memory of a deceased lawyer.

Attorney Samuel Dickson called the meeting to order promptly at half-past eleven o'clock, and made a motion that Justice Mitchell, of the Supreme Court, act as presiding officer. The motion was unanimously assented to, and Justice Mitchell ascended to the bench and took a seat in the chair usually occupied by the chief justice. Attorneys Henry C. Terry and George Stuart Patterson were appointed to act as secretaries of the meeting.

Justice Mitchell, in stating the purpose for which the meeting had been called, paid a brief but touching tribute to the memory of the deceased, with whom he had enjoyed a close friendship for nearly half a century. When the justice had resumed his seat, the meeting was addressed by Judge Robert N. Willson, of Common Pleas Court No. 4, who spoke with eloquent feeling in praise of the honorable traits and characteristics which distinguished Mr. Sellers as a man, and his rare ability and integrity as a lawyer, which had won the respect and love of all those who knew him intimately, and caused them to feel that in his death they have suffered a great and irreparable loss. Judge Willson spoke of Mr. Sellers as a lawyer of the old school, who never fell kindly into the modern methods of having stenographers and typewriters to assist him in his work. He was a lawyer who preferred to prepare his own cases, not fond of multiplying his references, but very fond of studying the principles of the law. The judge said he had often himself found it not only a pleasure but a great benefit to consult Mr. Sellers for advice, and as long as he lives will never forget the invaluable assistance, the kindness, and the willingness with which it was extended to him by the deceased. Mr. Sellers, he said, was endowed with rare ability and a high sense of honor, and other traits of nobility, all tending to surround him with a subtle influence impossible to define or to describe, but which manifested itself and impressed itself upon all those with whom he came in contact. He was one of nature's noblemen.

Judge Willson was followed by Judge Ashman, of the Orphan's Court, who also spoke in the highest terms of the deceased lawyer.

Other speakers who paid glowing tribute to the memory of Mr. Sellers, both as a man and a lawyer, were John Samuel, George Tucker Bispham, John Cadwalader, and General C. H. T. Collis, of the New York Bar. Letters of regret were read by Secretary Terry from J. Hay Brown, W. U. Hensel, and John G. Johnson. The writers all expressed sorrow for their inability to be present and partake in the sympathetic meeting of the friends and acquaintances of the deceased lawyer.

The usual resolutions of sympathy and respect were passed and will be sent to the family."

(Evening Bulletin, December 27, 1901.)

"The funeral of David W. Sellers, President of the Fairmount Park Commission, took place from his residence, 322 South Tenth Street this afternoon. Services were held in St. Peter's Protestant Episcopal Church, Third and Pine Streets, the interment being made in the graveyard of the old edifice.

Eight picked men of the Fairmount Park Guards carried the casket. The honorary pall-bearers were James T. Mitchell, Jas. A. Logan, Samuel Gustine Thompson, Samuel Dickson, John Cadwalader, George Tucker Bispham, Colonel A. Loudon Snowden, S. Davis Page, Victor Guillou, John Samuel, General C. H. T. Collis, Silas Pettit, Henry Flanders, P. F. Rothermel, Dr. Orville Horwitz, Dr. William H. Bennett, Russell Thayer, C. Stuart Patterson, and William H. Joyce.

For the purpose of taking action upon Mr. Sellers's death, members of the Philadelphia Bar held a meeting in the Supreme Court chamber before the funeral. The meeting was more largely attended than any in the history of the Bar, a large number of jurists, lawyers, and men of public affairs being present.

Justice Mitchell, in stating the purpose for which the meeting had been called, paid a brief but touching tribute to the memory of Mr. Sellers, with whom he had enjoyed a close friendship for nearly a half-century. When the justice had resumed his seat, the meeting was addressed by Judge Robert N. Willson, of Common Pleas Court No. 4, who spoke in praise of the honorable traits and characteristics which distinguished Mr. Sellers as a man and his rare ability and integrity as a lawyer. Judge Willson spoke of Mr. Sellers as a lawyer of the old school who never fell kindly into the modern methods of having stenographers and typewriters to assist him in his work. The judge said that he had often found it a pleasure and a great benefit to ask Mr. Sellers's advice, and that he will never forget the kindness and willingness with which it was extended to him.

Judge Willson was followed by Judge Ashman, of the Orphan's Court, who also spoke in the highest terms of Mr. Sellers.

The members of the Park Commission also met yesterday to take action on the death of their presiding officer. Following several addresses, a minute was adopted, in which was recited a tribute to Mr. Sellers as a member of the Commission and a formal summary of expression of his worth as a citizen, lawyer, and public official.

(Record, December 27, 1901.)

"At a special meeting of the Fairmount Park Commissioners yesterday afternoon minutes and resolutions were adopted eulogizing their late president, David W. Sellers. The following minute was adopted, and will be sent to the family of the deceased:

'As a Commissioner he has left a record for fidelity to duty—for earnest, intelligent and effective labor—excelled by no member of the Commission since its organization.

His profound knowledge of the law, his long and honorable connection with the Law Department of the city, gave

him an especial equipment in meeting questions of law and the methods of procedure when presented for the action of the Commission. He was always an intelligent and safe counsellor, whose guidance the Commission followed with implicit confidence.

To attempt a formal summary of his labors for the development of the people's great pleasure-ground would be to enumerate nearly every important work accomplished during his connection with the Commission. He loved Fairmount Park, and his unselfish labor in its development was made easy to him, as it was a "labor of love."

He inspired his associates in the discharge of their varied duties by his example, his confidence, and his sympathy, whilst he endeared himself to all by his kindness and gentleness of spirit.

As a citizen and public official he commanded our confidence and esteem; as a man he had our unchanging affection.' "

(*Times*, December 27, 1901.)

"The funeral of David W. Sellers will be held to-day in St. Peter's Church, Third and Pine Streets, at 2 o'clock. Eight of the Fairmount Park Guards will carry the body to its last resting-place, the following men acting as honorary pall-bearers: James T. Mitchell, James A. Logan, Samuel Gustine Thompson, Samuel Dickson, John Cadwalader, George Tucker Bispham, Colonel A. Loudon Snowden, S. Davis Page, Victor Guillou, John Samuel, General C. H. T. Collis, Silas Pettit, Henry Flanders, P. F. Rothermel, Dr. Orville Horwitz, Dr. William H. Bennett, M. Russell Thayer, C. Stuart Patterson, William H. Joyce, and several others who have not been heard from as yet.

For the purpose of taking action on the death of David W. Sellers, the late president of the Fairmount Park Commission, the members of the Commission held a special meeting at the City Hall yesterday. After eulogistic remarks had been made a minute was adopted in which was

recited a tribute to Mr. Sellers as a member of the Park Commission and a formal summary of expressions of his worth as a citizen, lawyer, and public official."

(*Ledger*, December 27, 1901.)

"Several judges and nearly all of the prominent lawyers of the city attended the meeting of the Bar Association held yesterday in the Supreme Court room to take action on the death of David W. Sellers, late president of the Park Commission. Justice James T. Mitchell, of the Supreme Court, presided, and George Stuart Patterson and Henry C. Terry acted as secretaries.

In opening the meeting Justice Mitchell paid a high tribute to the dead lawyer, whom he called a dear personal friend. Rarely in the past, and possibly never again in the future, he said, would the members of the local Bar come together with such a sense of personal bereavement as they did on the present occasion.

'Mr. Sellers,' continued the justice, 'was a leader in the profession, and his high attainments were recognized by every member of the Bar. His personal attributes were sources of constant pleasure to those who enjoyed his companionship. Never was there a time, or place, or gathering that his coming was not welcomed with the sincerest pleasure.'

ALL EULOGIZED THE DEAD.

Judge Mitchell was followed in short eulogies by Judge Willson, of Common Pleas Court No. 4, and Judge Ashman, of the Orphans' Court. Then John Samuel, a life-long friend of Mr. Sellers, and a fellow-student of his in the law offices of the late Judge John Cadwalader, read the following resolution, which was subsequently adopted:

'The Bar of Philadelphia sincerely mourns the loss of its late associate, David W. Sellers. Of great natural intellectual powers and acquired legal knowledge, a thinker as well as a student and scholar, he was yet a wise man of

affairs, and had by his own unaided efforts obtained for himself a position among the highest in the profession. As a practitioner he won the respect of the Bench, not less by his legal mastery over his cases than by his frank, ingenuous, and direct presentation of them. He commanded and enjoyed the admiration and personal attachment of his professional brethren by his truthfulness, his sincerity, and his fair dealing. He had no professional jealousy, nothing was more pleasing to him than the display of ability by his rivals. His civic virtues and wise judgment and usefulness as a citizen are attested by the great number of public and charitable organizations which sought his services as a manager. While the memory of his intellectual achievements may by time and the immediate presence of similar qualities become somewhat dim, the Bar of Philadelphia cannot forget, but will always cherish the recollection of his amiable kindness and endearing charm.'

Mr. Samuel supplemented the resolution with an interesting biographical sketch of his dead friend, filled with tender references to Mr. Sellers's high character, kindliness of disposition, and legal acquirements.

The personal charm of the lawyer who had passed away, his geniality and his public services were referred to in an earnest and eloquent manner. In connection with his public services, Mr. Samuel said that one of the greatest disappointments of Mr. Sellers's life was the failure of his plan to acquire the ground to the left and right of the south front of City Hall extending to Chestnut Street for a public flower market, which should be open in the mornings, and which should also be a grand plaza for gatherings of the people.

OTHER ADDRESSES.

Brief addresses, all full of feeling, were made by George Tucker Bispham, General C. H. T. Collis, formerly of this city, now of New York, and John Cadwalader. Mr. Cadwalader referred to his acquaintance with Mr. Sellers in his

student days, and repeated compliments paid by Judge Cadwalader, Mr. Sellers's preceptor in the law, to the young advocate. Mr. Cadwalader praised Mr. Sellers for his unselfish devotion to duty, his high moral courage, and his independence. In illustration, he said that Mr. Sellers became and remained a Democrat when it required courage to espouse and maintain the principles of that party, surrounded as he was by its opponents.

Among the members of the judiciary at the meeting, in addition to those already mentioned, were Judges Pennyacker, Sulzberger, McCarthy, and Audenried, of the Common Pleas Courts. Among the lawyers were Richard C. Dale, former Judges Dimmer Beeber and Thomas R. Elcock, John Hampton Barnes, Assistant City Solicitor James Alcorn, District Attorney-elect John Weaver, William H. Staake, Alexander Simpson, Jr., Wendell P. Bowman, Sheriff Wencel Hartman, and R. O. Moon. Letters of regret were read from John G. Johnson, Ex-Attorney General W. U. Hensel, and J. Hay Brown.

FUNERAL OF MR. SELLERS.

Funeral services over the body of Mr. Sellers were held yesterday afternoon in St. Peter's Protestant Episcopal Church, at Third and Pine Streets, and the interment was in the graveyard attached to the church. Many prominent citizens were present. The floral tributes that had been sent to the home of the dead lawyer, at Tenth and Pine Streets, were taken to the vault in the church-yard and placed over the marble covering. The Rev. Richard H. Nelson, rector of the church, conducted the service.

When the funeral cortege arrived at the church-yard gateway it was met by the following Park Guards, who carried the coffin into the house of worship: George Brode, James C. Barrett, Edward Patterson, W. A. Stackhouse, Hiram Webb, James Perkinson, A. Magnin, and H. D. Coyle. The honorary pall-bearers were Judge James A. Logan,

Colonel A. Loudon Snowden, Samuel Dickson, C. Stuart Patterson, Ex-Judge Samuel Gustine Thompson, John Cadwalader, Judge James T. Mitchell, Sussex D. Davis, Victor Guillou, Silas W. Pettit, P. F. Rothermel, Jr., General Russell Thayer, William H. Joyce, George Tucker Bispham, S. Davis Page, Dr. Orville Horwitz, John Samuel, General C. H. T. Collis, Dr. William H. Bennett, and Charles W. Henry. Among others present were the members of the Park Commission, representatives of the Bar and of the Pennsylvania Railroad, Mayor Ashbridge, and Ex-Mayor Warwick."

(*Times*, December 28, 1901.)

"The funeral services over David W. Sellers, late president of the Fairmount Park Commission, were held yesterday afternoon at 2 o'clock in St. Peter's Protestant Episcopal Church, Third and Pine Streets. Rev. Richard H. Nelson, rector of the church, conducted the services, after which interment was made in the cemetery adjoining. There were many floral tributes, and the church was filled with friends of the dead lawyer.

The casket was borne by eight picked men of the Fairmount Park Guards. The honorary pall-bearers were:

James T. Mitchell.	General C. H. T. Collis.
James A. Logan.	Silas W. Pettit.
Samuel G. Thompson.	Henry Flanders.
Samuel Dickson.	P. F. Rothermel.
George Tucker Bispham.	Dr. Orville Horwitz.
Colonel A. L. Snowden.	Dr. William H. Bennett.
S. Davis Page.	Russell Thayer.
Victor Guillou.	C. Stuart Patterson.
John Samuel.	William H. Joyce.

Prior to the funeral services the members of the Philadelphia Bar held a special meeting for the purpose of taking appropriate action upon Mr. Sellers's death. It was the

most largely attended meeting of the Bar which has been held in recent years. Eminent jurists, railroad magnates, and high civic officials gathered in the Supreme Court chamber to eulogize the departed lawyer.

Judge Mitchell presided and paid a touching tribute to the life of Mr. Sellers, with whom he had been associated for many years. Justice Mitchell was followed by Judge Robert N. Willson, of Common Pleas Court No. 4, who eulogized the many traits and characteristics which made Mr. Sellers famous at the Bar. Judge Willson said that Mr. Sellers was a member of the old school and never took kindly to the innovation of having the assistance of stenographers and typewriters to prepare his cases, preferring to do all the work himself. Judge Willson was followed by Judge Ashman, of the Orphans' Court, John Samuel, George Tucker Bispham, John Cadwalader, and General C. H. T. Collis, of the New York Bar."

(Record, December 28, 1901.)

"Many eminent jurists, lawyers, railroad and municipal officials gathered yesterday in the Supreme Court chamber to pay tribute to the high professional and personal character of David W. Sellers. It was one of the largest Bar meetings ever held in this city, and was called to order by Samuel Dickson, who nominated Justice Mitchell, of the Supreme Court, for presiding officer. Attorneys Henry C. Terry and George S. Patterson were made secretaries.

Justice Mitchell, in stating the purpose for which the meeting had been called, paid a brief but touching tribute to the memory of the deceased, with whom he had enjoyed a close friendship for nearly half a century.

JUDGE WILLSON'S TRIBUTE.

Judge Robert N. Willson, of Common Pleas Court No. 4, spoke eloquently in praise of the honorable traits and characteristics which distinguished Mr. Sellers as a man,

and his rare ability and integrity as a lawyer, which won the respect and love of all those who knew him intimately. Judge Willson spoke of Mr. Sellers as a lawyer of the old school, who never fell kindly into the modern methods of having stenographers and typewriters to assist him in his work. He was a lawyer who preferred to prepare his own cases, not fond of multiplying his references, but very fond of studying the principles of law. The Judge said he had often himself found it not only a pleasure but a great benefit to consult Mr. Sellers.

Judge Ashman, of the Orphans' Court, was the next speaker, and he was succeeded by John Samuel, George Tucker Bispham, John Cadwalader, and General C. H. T. Collis. Letters of regret were read from J. Hay Brown, W. U. Hensel, and John G. Johnson.

THE RESOLUTIONS ADOPTED.

The following resolution was offered by Attorney Samuel and unanimously adopted :

‘The Bar of Philadelphia sincerely mourns the loss of their late associate, David W. Sellers. Of great natural intellectual powers and acquired legal knowledge, a thinker as well as a student and scholar, he was yet a wise man of affairs, and had by his own unaided efforts obtained for himself a position among the highest in the profession. As a practitioner he won the respect of the Bench not less by his legal mastery over his cases than by his frank, ingenuous and direct presentation of them. He commanded and enjoyed the admiration and personal attachment of his professional brethren by his truthfulness, his sincerity, and his fair dealing. He had no professional jealousy; nothing was more pleasing to him than the display of ability by his rivals. His civic virtues and wise judgment and usefulness as a citizen are attested by the great number of public and charitable organizations which sought his services as a manager. While the memory of his intellectual achieve-

ments may by time and the immediate presence of similar qualities become somewhat dim, the Bar of Philadelphia cannot forget, but will always cherish the recollection of his amiable kindness and endearing charm.'

MR. SELLERS'S FUNERAL.

Men prominent in every walk of life attended the funeral of Mr. Sellers, yesterday afternoon, at St. Peter's Protestant Episcopal Church, Third and Pine Streets. The ceremonies were simple but impressive, consisting only of the Episcopal burial service, read by Rev. Richard H. Nelson, of St. Peter's, and the singing of 'Nearer, My God, to Thee' and 'Abide with Me,' by the choir.

The body was then carried to its last resting-place in the old graveyard of the church by a detail of Park Guards, consisting of James C. Barrett, A. Magnin, William Stackhouse, E. D. Patterson, Hiram Webb, and Henry Coyle. The honorary pall-bearers were: Justice James T. Mitchell, James A. Logan, ex-Justice Samuel Gustine Thompson, Samuel Dickson, John Cadwalader, Colonel A. Loudon Snowden, George Tucker Bispham, S. Davis Page, Sussex D. Davis, Victor Gillou, Silas W. Pettit, John Samuel, General C. H. T. Collis, Dr. Orville Horwitz, Dr. William H. Bennett, C. Stuart Patterson, P. F. Rothermel, General Russell Thayer, Charles W. Henry, and William H. Joyce."

(*Press*, December 28, 1901.)

"The funeral of David W. Sellers, president of the Fairmount Park Commission, took place yesterday afternoon at 2 o'clock. Services were held in St. Peter's Protestant Episcopal Church, at Third and Pine Streets, and interment was made in the Finnix Stretcher family vault in the churchyard. The Protestant Episcopal service for the dead was read by the Rev. Richard H. Nelson.

The honorary pall-bearers were James A. Logan, Colonel A. Loudon Snowden, Samuel Dickson, C. Stuart Patterson,

ex-Judge Samuel Gustine Thompson, John Cadwalader, Judge J. T. Mitchell, Sussex D. Davis, Victor Guillou, Silas W. Pettit, P. F. Rothermel, General Russell Thayer, William H. Joyce, George Tucker Bispham, S. Davis Page, Dr. Orville Horwitz, General C. H. T. Collis, Dr. William H. Bennett, John Samuel, and Charles W. Henry.

The Park Commission, accompanied by Mayor Ashbridge, attended in a body, and many of the older members of the Bar came to pay their last respects.

Park Guards H. D. Coyle, George Brode, James C. Barrett, Edward Patterson, W. A. Stackhouse, Hiram Webb, James Perkinson, and A. Magnin carried the coffin from the church to the grave-side.

The members of the Philadelphia Bar held a meeting in the Supreme Court chamber yesterday at 11.30 o'clock to take action on the death of Mr. Sellers. It was one of the largest meetings ever held by the local Bar. Justice Mitchell presided, and Henry C. Terry and George Stuart Patterson acted as secretaries.

Justice Mitchell paid a tribute to the memory of the deceased, with whom he had enjoyed a warm friendship for nearly half a century.

Judge Robert N. Willson, of Common Pleas Court No. 4, spoke of the honorable traits and characteristics which distinguished Mr. Sellers as a man, and his ability and integrity as a lawyer. He referred to Mr. Sellers as a lawyer of the old school, one who preferred to prepare his own cases; not fond of multiplying references, but fond of studying the principles of the law. Judge Willson said he himself had often found it not only a pleasure but a great benefit to consult Mr. Sellers.

John Samuel said, 'I think I may, without exaggeration, truly say that to our Bar, to each one of us, the loss of David W. Sellers has come more in the sense of a personal bereavement than would that of any other of our associates. This has arisen, not so much from admiration of his profes-

sional acquirements and achievements, which were many and important, but by reason of the attractive personal charm of his character, which made all association with him—even the contests of the legal arena—moments of satisfaction and pleasure.’ After reviewing Mr. Sellers’s public career, the speaker closed with a high tribute to his amiable disposition and kindliness of character.

Others who delivered eulogies were George Tucker Bispham, John Cadwalader, and General C. H. T. Collis, of New York. The following resolution, introduced by Mr. Samuel, was adopted :

‘The Bar of Philadelphia sincerely mourns the loss of their late associate, David W. Sellers. Of great natural intellectual powers and acquired legal knowledge, a thinker as well as a student and scholar, he was yet a wise man of affairs, and had by his own unaided efforts obtained for himself a position among the highest in the profession. As a practitioner he won the respect of the Bench, not less by his legal mastery over his cases than by his frank, ingenuous, and direct presentation of them. He commanded and enjoyed the admiration and personal attachment of his professional brethren by his truthfulness, his sincerity, and his fair dealing. He had no professional jealousy; nothing was more pleasing to him than the display of ability by his rivals. His civic virtues and wise judgment and usefulness as a citizen are attested by the great number of public and charitable organizations which sought his services as a manager. While the memory of his intellectual achievements may by time and the immediate presence of similar qualities become somewhat dim, the Bar of Philadelphia cannot forget, but will always cherish the recollection of his amiable kindness and endearing charm.”

(*Inquirer*, December 28, 1901.)

“Men prominent in all walks of life assembled at old St. Peter’s Church yesterday afternoon to pay the last tribute

of respect to the memory of the late David W. Sellers. The funeral services were conducted according to the solemn ritual of the Protestant Episcopal Church. Rev. Richard H. Nelson, rector of St. Peter's, was in charge of the exercises. A special feature of the church observance was the singing by the choir of 'Abide with Me' and 'Nearer, my God, to Thee.'

The honorary pall-bearers consisted of the following: James T. Mitchell, James A. Logan, Samuel Gustine Thompson, Samuel Dickson, John Cadwalader, Colonel A. Loudon Snowden, George Tucker Bispham, S. Davis Page, Sussex D. Davis, Victor Gillou, Silas Pettit, John Samuel, General C. H. T. Collis, Dr. Orville Horwitz, Dr. William H. Bennett, C. Stuart Patterson, P. Fred. Rothermel, General Russell Thayer, Charles W. Henry, and William H. Joyce. The Fairmount Park Commission, of which Mr. Sellers was president, attended the funeral in a body. Eight sturdy Park Guards bore the remains to their last resting-place in the family vault, situated in St. Peter's church-yard.

A memorial meeting was held in Supreme Court room at the City Hall in the morning, where jurists, lawyers, railroad magnates, city officials, and men high in professional and business life joined in honoring Mr. Sellers's memory. Justice Mitchell presided, and Henry C. Terry and George Stuart Patterson acted as secretaries. Addresses eulogistic of the deceased were made by Judge Robert N. Willson, of Common Pleas Court No. 4; Judge William N. Ashman, of the Orphans' Court; John Samuel, George Tucker Bispham, John Cadwalader, and General C. H. T. Collis.

Mr. Samuel offered appropriate resolutions, which were unanimously adopted, and will be forwarded to Mr. Sellers's family. The feeling of the Philadelphia Bar was voiced by Mr. Samuel, who rapidly sketched the career of the deceased and paid a high tribute to his worth as a lawyer and as a man."

(*North American*, December 28, 1901.)

"The funeral of David W. Sellers was held at St. Peter's Church, Fourth and Pine Streets, at 2 o'clock yesterday. The Episcopal burial service was read by the pastor, the Rev. Richard H. Nelson, D.D. The members of the Fairmount Park Commission, of which he was president, attended the services in a body. Mayor Ashbridge, ex-Mayor Warwick, Judge Arnold, ex-Collector of the Port John R. Reid, Representative David S. B. Chew, ex-Congressman William McAleer, and ex-Superintendent of Park Commission Russell Thayer were also present. The interment was in the yard of St. Peter's Church.

A detachment of Park Guards was detailed by Captain Chasteau to act as pall-bearers.

The honorary pall-bearers were James T. Mitchell, James A. Logan, Samuel G. Thompson, Samuel Dickson, Sussex D. Davis, Victor Gillou, Silas Pettit, P. F. Rothermel, C. S. Patterson, Russell Thayer, John Cadwalader, George Tucker Bispham, Colonel A. Loudon Snowden, S. Davis Page, Dr. O. Horwitz, John Samuel, General C. H. T. Collis, Dr. William H. Bennett, and Charles W. Henry.

Justice Mitchell, of the Supreme Court, presided at a meeting of the Bar, which was held yesterday forenoon, to take action upon Mr. Sellers's death. Attorneys Henry C. Terry and George Stuart Patterson were secretaries.

The attendance embraced men prominent in varied professions and occupations, besides many public officials. Eulogistic addresses were made by Justice Mitchell; Judge Robert N. Willson, of Common Pleas Court No. 4; Judge Ashman, of the Orphans' Court; John Samuel, George Tucker Bispham, John Cadwalader, and General C. H. T. Collis, of New York.

Appropriate resolutions, offered by Mr. Samuel, were adopted by a rising vote."

(From the minutes of a meeting of the Board of Directors of the Zoological Society of Philadelphia, held January 9, 1902.)

“Resolved, by the Directors of the Zoological Society, that in the death of David W. Sellers the Board has suffered the loss of a wise and faithful counsellor, and of a friend whose genial presence was welcomed by each of its members at their meetings.

Mr. Sellers's interest in the Gardens began with their opening, and as a friend, as a Commissioner of Fairmount Park, and finally as a Director, he must always be remembered as among the first of those who have rendered signal service to the Society.”

Remarks of Hon. William M. Bunn, delivered at a dinner of the Clover Club, January 17, 1902:

“MR. PRESIDENT,—It has fallen to my lot to pronounce a brief, Clover Club eulogy upon the life and character of one whom we miss and mourn. I could fervently wish I were better equipped for the mournful, precious, sacred privilege. I have never before, as now, realized the poverty of my knowledge of our language when I strive, in vain, to find words worthy of the dear friend, brother, lawyer, statesman, David W. Sellers. You who knew him in life, as I did, sympathize with me in the hopeless effort. His life will always be for us an unspoken sermon, a song unsung. There was something—much—in the life and character of David Sellers that marked him as a pioneer of human progress. A man whose gaze was upward, whose trend was onward, and whose feet firmly pressed the steep, stony ascent among the leaders of the great procession. He led by the earnestness of his own vigorous ability. He was no plodder, nor yet did he bear the laurel crown of genius,—a plain, earnest, enduring, sympathetic character who wills to do right; whose imperious will inspires a faith in his intimates that laughs at difficulty and dares the im-

possible. We can bear universal testimony to that phase of his life; where can we find words to express the charm of that cheerful, sunny nature that singled him out and distinguished him from all his compeers? I have never seen that influence, by which duty is lightened, toil tempered, and responsibility sweetened, so pronounced in any other man. His was, indeed, a strong nature, secure in its own integrity and strength, whose beacon was duty, whose goal was truth. His very countenance was an inspiration of faith, a native sunlight that dissipated gloom, as the dayspring of heaven disperses darkness and dispels clouds and lifts the expanded horizon to zenith, leaving Aurora's pink-tinted finger-prints upon the frowning front of high Olympus.

It is to such a career as that of David Sellers I would point as solving the problem, What is life, what is death, what is immortality? As exemplifying where the finite ends and the infinite begins, where immortality verges into fame and fame becomes a sanctified, abiding, deathless memory! And, thank God, memory is immortal. Death the victor over mortality has no dominion there. Paradise holds the immortal spirit and humanity the memory as its priceless heritage. He whose absence we mourn, whose presence I seem to feel, chiselled his own epitaph, wrote his own obituary every day he lived; wrote it on the tablet of grateful hearts, chiselled it, letter by letter, word by word, upon Memory's imperishable cenotaph. Time cannot dim it, envy cannot mar it. The grief we feel, the tears that come unbidden, are but mortality's tribute to the heroic soul predestined to immortal memory. Though the heart rebels, we realize that in his case it is triumph, not tears, that is the fitting tribute to the bier of one whose back foeman never saw, whom rest nor sleep never won from duty, whom nothing could divert from friendship, nor sever from love.

The clover-blossoms will bend their bright heads and

pour their matin oblations, gathered from the dews of night, sweetened and perfumed by the fragrance of their own nectar, over the grave of Dave Sellers, who sleeps his last sleep there; so let us pour this libation to the memory of one of earth's gentlest, most unselfish sons; one of friendship's heroic hostages of faith, love's tenderest incarnation,—a man whose life filled the measure of time, whose memory fills immeasurable infinity.”

“THE LAW ACADEMY OF PHILADELPHIA.
PHILADELPHIA, January 21, 1902.

MY DEAR SIR :

I beg to inform you, and through you, the family of our deceased Vice-Provost, that at the last regular meeting of the Law Academy, the following resolution was unanimously agreed to :

‘In the death of David W. Sellers, Esquire, the community is deprived of an honored and useful citizen, and the Bar of Philadelphia of one of its most distinguished members.

An especial loss is sustained by the Law Academy of Philadelphia in the absence of one who for nearly fifteen years was a Vice-Provost of the Society. By his example and kindly precept he always encouraged the younger men of the Bar to strive to attain the highest standard of professional worth. It is with deep regret that the members contemplate the severance of ties, the result of a long association with one who commanded their entire respect and their warmest attachment.

Yours very truly,

FRANZ EHRLICH, JR.,
Secretary.

EDWIN J. SELLERS, Esq.”

“At a meeting of the Law Association of Philadelphia, held on March fourth, 1902, the following minute upon the death of Mr. David W. Sellers, which was offered and read by Mr. John Samuel, was unanimously adopted, ordered to

be spread upon the minutes, and a copy thereof sent to the family of Mr. Sellers.

‘David W. Sellers was the Vice-Chancellor of this Association from his election on December 5, 1899, to his death, which took place on December 24 last. He was born on May 11, 1833, and was admitted to the Bar on his twenty-first birthday, in 1854. He became Assistant City Solicitor in 1858, and remained in that office for eight years. He soon rose to high rank in his profession and was engaged in much important litigation in this county, chiefly in municipal and corporate interests. His judicious advice was much sought for as manager and director in many public boards and private charities. He was a member of the Fairmount Park Commission, director in the Zoological Society, and other associations for the public welfare. His personal character and charming disposition procured for him the universal affection of the Bar of Philadelphia. It can be truly said of him that in all the antagonisms of our calling he made no enemy. His wonderful consideration for the opinions and infirmities of others, and his unfailing cheerfulness made him the delight of all Bar assemblages either for business or pleasure. And he has left a memory of happy hours and pleasant associations which will not easily fade.’

SAM'L DICKSON,
Chancellor.

Attest:

WM. C. FERGUSON,
Secretary."

The following appeared in the Report of the Board of Managers of the Sons of the Revolution at a meeting held April 3, 1902:

“David Wampole Sellers, one of Philadelphia’s most distinguished lawyers, died December 24, 1901. He was born in Philadelphia, May 11, 1833, and was educated in

the public schools of this city, and subsequently graduated at the High School. He read law with Judge Cadwalader, and was admitted to the Bar in May, 1854. He was chief assistant in the City Solicitor's office for eight successive years, and for a decade he handled and disposed of many of the most important cases affecting Philadelphia's interests. On May 8, 1876, he was appointed a member of the Fairmount Park Commission, of which he was elected President on December 8, 1899. In 1865 he became the counsel of the Union Passenger Railway Company, the Chestnut and Walnut, the Continental, and other street railway companies; in 1879 of the Pennsylvania Railroad Company; in 1880 of the Philadelphia, Wilmington and Baltimore Railroad Company, the Northern Central Railway Company, and the Baltimore and Potomac Railroad Company, all of which he represented at his death. On December 5, 1899, he was elected Vice-Chancellor of the Law Association of Philadelphia. He was also Vice-Provost of the Law Academy of Philadelphia, which positions he held at the time of his death. Mr. Sellers was perhaps best known for his work in connection with the Park Commission, in which he always evinced a profound interest in any matter which concerned the Park, and largely through his influence is due the enlarging and beautifying which Fairmount Park has received since the Centennial year. As a lawyer, however, Mr. Sellers ranked among the first, and few men at the Bar will be more missed than Mr. Sellers, who had a host of strong and earnest friends.

It was the high regard for his fairness and astuteness that caused him to be sent by the Democratic National Committee to Florida in 1876 to represent the Democratic electors of that State before the Returning Board in the famous Tilden-Hayes contest for the Presidency of the United States.

In his social relations he was a member of the Lawyers' Club, the Rittenhouse Club, the Clover Club, the Historical

Society of Pennsylvania, the Young Men's Democratic Association, of which he was president for several years, and a member of the Zoological Society, and for several years its president. As a member of the Society he always displayed an interest and rarely was absent from its celebrations."

(*Inquirer*, October 11, 1902.)

"The collection of portraits belonging to the Law Library at City Hall will to-day be augmented by the addition of a portrait of the late David W. Sellers. The work is a life-size head, painted by Albert Rosenthal, and is an excellent likeness of this well-known Philadelphian.

It is the gift to the library of William H. Staake, chairman of the Literary Committee, and it will be installed in the library room this afternoon, at a meeting of the Literary Committee, when a portrait of the late John C. Bullitt, painted by Robert Vonnoh, will also be hung among the other portraits of distinguished lawyers owned by the library."

Conveyances recorded at Philadelphia.

Liber J. T. O., No. 275, folio 261:

Aug. 31, 1869. Lucius H. Scott, of Bucks Co., Pa., Trustee for Harriet R. Landreth, wife of Oliver Landreth, of Phila., Nurseryman and Seedsman, of first part, the said Harriet R. Landreth of second part, to David W. Sellers, of Phila., Atty. at Law, of third part. Conveyance of 322 So. Tenth St., Phila.

Liber D. H. L., No. 24, folio 39:

Dec. 18, 1875. Benjamin Crabtree and wife to same. Conveyance of 265 Susquehanna Ave., Phila.

Liber J. O. D., No. 72, folio 269:

Dec. 16, 1882. Edwin E. Sellers, U. S. Army, and Olive, his wife, to same. Conveyance of undivided interest in premises S. side of Callowhill, W. from W. side of 13th

St., Phila. Property derived from their father, Samuel Sellers.

Liber G. G. P., No. 12, folio 42 :

Dec. 31, 1884. Isaac Elwell, of Phila., Atty-at-Law, to same. Conveyance of 238 Raspberry Alley, 219, 221, and 223 Vandever St., Phila., being the same which D. W. Sellers and wife conveyed to the said Elwell Dec. 30, 1884. See Liber G. G. P., No. 13, folio 23.

Liber G. G. P., No. 305, folio 255 :

Oct. 18, 1887. Edwin Jaquett Sellers, of Phila., Student, to same. Conveyance of 317 South Sixth St. Phila., being the same which D. W. Sellers and wife conveyed to E. J. Sellers Oct. 14, 1887. See Liber G. G. P., No. 305, folio 249.

Ibid., folio 257.

Oct. 18, 1887. Same to same. Conveyance of property N. side of Filbert St., 34 ft. E. from E. side of 13th.

Liber A. D. B., No. 148, folio 392 :

Dec. 24, 1858. David W. Sellers, of Phila., and Anna Frances, his wife, to Edward Laing of Bristol township, Bucks Co., Pa. Conveyance of certain property which Charles Faust and wife conveyed to said Sellers by deed of July 30, 1858, recorded in Liber A. D. B., No. 22, folio 421.

Liber F. T. W., No. 164, folio 270 :

Nov. 7, 1874. Same to City of Phila. Conveyance of E. side of 12th St. bet. Ogden and Myrtle Sts. Land purchased by D. W. Sellers at sheriff's sale.

Liber W. M. G., No. 16, folio 104 :

Jan. 11, 1896. Same to Charles J. Cohen. Conveyance of Filbert St. property.

The will of Mr. Sellers, on file at Philadelphia, is as follows :

"I David Wampole Sellers publish this for my last will and testament. I devise my real estate to my wife for life and at her death the income to my children then living until all shall have attained the age of Twenty Five years

at which time it shall vest in them share and share alike. No grandchild however to take hereunder. I bequeath my household goods and apparel and silver absolutely to my wife without inventory or appraisement and appoint her guardian of my children. I appoint the Guarantee Trust and Safe Deposit Company my executor and bequeath all my personal estate not hereinbefore disposed of to it, in trust to pay the income thereof to my wife and upon her death the income to my children then living until all shall have attained the age of Twenty Five years at which time it shall be distributed equally. No grandchild however to take hereunder. In witness whereof I have hereto put my hand this 31st day of August 1880.

DAVID W. SELLERS.

If I shall die owning 322 South 10th Street, I direct my Executor soon as the sums due on policies of insurance on my life are paid, to liquidate the mortgages existing against said house.

DAVID W. SELLERS.

June 21, 1882.

I bequeath to my only son Edwin Jaquett Sellers absolutely without inventory or appraisement all of my books in addition to his distributive share as a child.

DAVID W. SELLERS.

September 19, 1887.

I direct my estate to vest in fee and absolutely in my children and their children if the parent is dead per stirpes.

DAVID W. SELLERS.

May 11th, 1891."

The will was probated December 28, 1901. The executor's account was adjudicated January 9, 1903. The proceeding is of October Term, 1902, No. 611.

David Wampole Sellers and Anna Frances, his wife, had issue :

45. Anna Frances, born at Phila., Aug. 16, 1859; married, at the residence of her father, by the Rev. Samuel Gregory Lyons, Rector of the Church of the Beloved Disciple, New York, N. Y., to Edward Page Vogels, Apr. 21, 1892. He was born at Phila., Apr. 2, 1855. Issue :

53. Eleanor Stockton, born at Atlantic City, N. J., Sep. 19, 1896.

54. David Sellers, born at Atlantic City, N. J., June 20, 1900.

46. Elizabeth Louisa, born at Phila., Mar. 21, 1861.

47. Mary, born at Phila., Dec. 31, 1862; married, at St. Peter's, Phila., by the Rev. J. Lewis Parks, D.D., to George Howard Stirling, of Baltimore County, Md., June 3, 1895. He was born April 25, 1860. They reside at Garrison Station, Green Spring Valley, Baltimore Co., Md. Issue :

55. David Sellers, born at Garrison Station, Aug. 16, 1896.

56. Philip Sellers, born at same place, June 1, 1898.

57. Francis Elder, born at same place, Jan. 21, 1901.

48. Florence, born at Phila., Apr. 22, 1864; married, at St. Peter's, Phila., by the Rev. Thomas F. Davies, D.D., to Marcellus, son of Ferdinand Coxe and Frances F. Cochrane, of Phila., June 2, 1885. Issue :

58. Francis Travis, born at Phila., Mar. 13, 1889.

49. Edwin Jaquett.

50. Charles Jaquett, born at Phila., Mar. 21, 1867; died Feb. 9, 1868; buried at St. Peter's, Phila.
51. Sydney Jaquett, born at Phila., Nov. 29, 1868; educated at Protestant Episcopal Academy, the late Henry Hobart Brown's De Lancey School, both in Phila., and the year preceding his death was a student in the Department of Science, University of Pennsylvania; died at Atlantic City, N. J., Aug. 21, 1887; buried at St. Peter's, Phila., Aug. 24, 1887.
52. Agnes, born at Phila., July 21, 1873.

VI. 49. EDWIN JAQUETT SELLERS, son of David Wampole Sellers (40) and Anna Frances Jaquett, was born at Philadelphia, July 25, 1865. He received his school education at Mrs. Crawford's Boarding School at Fox Chase, Rugby Academy, Protestant Episcopal Academy, and the late Henry Hobart Brown's. He was graduated from the University of Pennsylvania June 15, 1886, with degree of Bachelor of Arts. Upon his graduation he was registered as a student-at-law under the preceptorship of his father, and was graduated from the Department of Law of the University of Pennsylvania, June 5, 1889, with degree of Bachelor of Laws, at which time he also received the degree of Master of Arts. He was admitted to the Philadelphia Bar June 15, 1889, and was associated with his father in practice until the latter's death. He assisted in the compilation of Vol. II of the "Statutes at Large of Pennsylvania from 1681-1801," published in 1896, and is mentioned in the preface. He compiled the "Account of the Jaudon Family," 1890; "Genealogy of the Jaquett Family," 1896; "Genealogy of the Kollock Family, of Sussex County, Delaware," 1897; "Captain John Avery, President Judge at the Whorekill in Delaware Bay, and his Descendants," 1899; "Allied Families of Delaware,"

1901; and assisted in the compilation of the Wayne Genealogy, contained in "Some Colonial Mansions and those who lived in them," recently published by Henry T. Coates & Co., Philadelphia.

Upon attaining his majority he became a Democrat. He was a member of the Executive Committee of the Seventh Ward; candidate for Common Council from the same ward; candidate for Clerk of the Quarter Sessions, for which latter positions, however, he was defeated; elected a Director of the Seventh School Section, Feb. 19, 1895; delegate to the National Convention in 1896, at Indianapolis, which nominated Palmer and Buckner for President and Vice-President; and delegate in 1898 to the Convention to revise the rules of the Democratic party in Philadelphia. He was several years a member of the Young Men's Democratic Association. In 1899, however, he voted for McKinley, and has since been affiliated with the Republican party.

He is a member of the Colonial Society of Pennsylvania, Society of Descendants of Colonial Governors, Pennsylvania Society of the Order of Founders and Patriots of America, Society of the Cincinnati in the State of Delaware, Pennsylvania Society of the Sons of the Revolution, Minnesota Society of American Wars, Pennsylvania Commandery of the Order of the Loyal Legion, Historical Society of Pennsylvania, Genealogical Society of Pennsylvania, Corresponding Member of the Buffalo Historical Society, Pennsylvania-German Society, Society of the Alumni of the University of Pennsylvania, University Club of Philadelphia, Honorary Member of the University Barge Club of Philadelphia, Delta Phi Fraternity, Sharswood Law Club, Law Academy of Philadelphia, Law Association of Philadelphia, Philobiblon Club of Philadelphia, Philadelphia Country Club, and Atlantic City Country Club.

At the death of his father he became associated with J. Howard Rhoads, Esq., and under the firm-name of Sellers

& Rhoads succeeded his father as Solicitor of the Pennsylvania Railroad Company, the appointment of their firm taking effect as of January 1, 1902.

June 6, 1894, he was married, at St. Peter's Protestant Episcopal Church, Philadelphia, by the Rev. J. Lewis Parks, D.D., Rector, to Blanche Bingham, daughter of Michael Ehret and Ellen Cathcart, of Philadelphia. She was born at Philadelphia, October 15, 1871. They have issue :

59. Ellen Jaquett, born at 1830 Pine St., Phila., March 6, 1895; bap. at St. Peter's, Dec. 1, 1895.

V. 43. EDWIN ELIAS SELLERS, son of Samuel Sellers (30) and Barbara Ann Wampole, was born at Philadelphia, March 3, 1840; he was graduated at the High School, Phila., July, 1856; married at St. James' Church, Batavia, New York, October 20, 1869, by Rev. George F. Plummer, to Olive Lay, daughter of John Foote, of Batavia, and Georgiana Knox Beebe. The record of his military services, according to his commissions and "Records of Living Officers of the United States Army," by L. R. Hamersly & Co., Phila., is as follows :

Appointed second lieutenant, Tenth Infantry, Oct. 24, 1861; accepted Nov. 5, 1861; Dec. 30, 1861, acting adjutant, Tenth and Seventh Infantry; Mar. 1, 1862, reappointed acting adjutant of the battalion, and a company called the "Sturgis Rifles," early part of 1862; July 6, 1862, appointed acting assistant adjutant-general of brigade; engaged at the siege of Yorktown, battles of Gaines Mill and Malvern Hill, Virginia; acting assistant adjutant-general, Second Brigade, Fifth Corps, Army of Potomac (Sykes), from July, 1862, to June, 1863; engaged at the battles of Second Bull Run, Virginia; Antietam, Maryland; action of Blackburn Ford, battles of Fredericksburg and Chancellorsville, Virginia; aide-de-camp, June, 1863; first

lieutenant, Tenth Infantry, June 1, 1863; engaged at battle of Gettysburg, Pennsylvania; with regular brigade at riots in New York, 1863; at Fort Lafayette, New York Harbor, September to October, 1863; on recruiting, mustering, and disbursing duty at Philadelphia, Pa., and Trenton, N. J., from October, 1863, to February or March, 1865; captain Tenth Infantry, February 17, 1864; joined company and regiment near Richmond, Virginia, April, 1865; on detached service duty with U. S. District Attorney at Philadelphia until October, 1865, then joined company at Fort Snelling, Minn., from November, 1865, until May, 1866; Fort Abercrombie, D. T., 1866 to 1869; Galveston, Texas, 1869-1870; President Board of Registrars of Galveston County, Texas, during registration and election for first governor (Governor Davis), at which time the State of Texas ceased to be under martial law; at Austin, Texas, from 1870 to 1875, and in command of the post from the latter part of 1870, until it was discontinued as a military post in 1875; re-established the post of San Antonio, Texas, by order of General E. O. C. Ord in 1875, and in command of it until 1877, when ordered to assume command of post of Fort McIntosh, Texas; where he remained until ordered to the command of Fort Mackinac, Michigan, 1879, where he assumed command May 24, 1879; brevet first lieutenant for gallant and meritorious services at battle of Chancellorsville, Va.; brevet captain for gallant and meritorious services at Gettysburg, Pa.; brevet major for gallant and meritorious services during the war.

Edwin Elias Sellers constituted one of the Guard of Honor of the remains of Mr. Lincoln, with the others named in the following minute:

“MILITARY PROVOST MARSHAL’S OFFICE,
DISTRICT OF PHILADELPHIA.

PHILADELPHIA, April 28, 1865.

CAPTAIN,—Feeling a desire to perpetuate the record of the sad duty performed by the officers composing the

Guard of Honor to the remains of the late President of the United States while in the City of Philadelphia, I have caused to be printed a roll of the names of the Gentlemen who acted in that capacity, and supposing you desire also to preserve the names of your companions I beg leave herewith to present to you two copies of the same.

I am, Captain,

Very Respectfully,

Your Ob't Serv't,

H. A. FRINK,

Col. and Provost Marshal.

Captain EDWIN E. SELLERS,
Tenth U. S. Infantry.

GUARD OF HONOR.

The following named officers constituted the Guard of Honor to the remains of Abraham Lincoln, sixteenth President of the United States, while they remained in the city of Philadelphia, from 4.30 P.M., April 22, until 4.30 A.M., April 24, 1865, *en route* for burial at Springfield, Ill.

Commodore Henry R. Hoff, United States Navy.

Commodore J. L. Lardner, United States Navy.

Colonel H. A. Frink, 168th Regiment, Pennsylvania Volunteers.

Colonel William W. McKim, Quartermaster's Department.

Lieutenant-Colonel W. Davis, 69th Regiment, Pennsylvania Volunteers.

Lieutenant-Colonel T. C. Moore, 36th New Jersey Volunteers.

Lieutenant-Colonel John B. Murray, 198th Regiment, Pennsylvania Volunteers.

Lieutenant-Colonel Charles C. Cresson, 73d Regiment, Pennsylvania Volunteers.

Major John P. Sherburne, Assistant Adjutant-General.

Major Samuel Bell, Paymaster's Department.

Major John D. Deveraux, Veteran Reserve Corps.

Major J. E. Montgomery, Assistant Adjutant-General.
Surgeon R. S. Kenderdine, United States Volunteers.
Captain James Forney, United States Marine Corps.
Captain Edwin E. Sellers, Tenth United States Infantry.
Captain J. P. Loughead, Commissary of Subsistence.
Captain H. P. Janes, Assistant Quartermaster.
Captain H. P. Goodrich, Assistant Quartermaster.
Captain A. S. Ashmead, Assistant Quartermaster.
Lieutenant G. D. Ramsey, United States Ordnance Department.
Assistant Surgeon H. S. Schell, United States Army.
Lieutenant E. M. Harris, Eighth United States Colored Troops."

In 1880, Captain Sellers was in charge of the post at Fort Mackinac, the following being the commissioned officers :

"FORT MACKINAC.

Company D, Tenth Infantry.

Major E. E. Sellers, commanding Co. and Post.

First Lieut. W. T. Duggan, A. A. Q. M. and A. A. C. S.

Second Lieut. B. Eldridge.

Company C, Tenth Infantry.

Major C. L. Davis, Commanding Company.

First Lieut. D. H. Kelton.

Second Lieut. E. H. Plummer, Post Adjutant, Treasurer, and Signal Officer."

He died while in charge of the post at Mackinac, April 8, 1884. The following is taken from the *St. Ignace Republican* of April 19 :

"OFFICIAL ANNOUNCEMENT OF MAJOR
SELLERS'S DEATH.

FORT MACKINAC, MICHIGAN, April 9, 1884.—Orders No. 24.—It becomes the sad duty of the undersigned to an-

nounce to the garrison of this post the decease of its late commanding officer, Captain Edwin E. Sellers, Tenth Infantry, who died at this post at 10.45 P.M. yesterday.

Captain Sellers was appointed a second lieutenant, Tenth United States Infantry, October 24, 1861, and, serving through various campaigns of the late rebellion in conspicuous duties, he attained the grade of captain, February 17, 1864, having received the brevets of first lieutenant, captain, and major for gallant and meritorious services in battle.

We all loved him, and there will ever remain in the hearts of his friends a recollection of his manly worth, earnest devotion to duty, fidelity in friendship, and generous sympathies that will serve to keep his memory cherished so long as one remains.

The officers of this post will wear the usual badge of mourning for thirty days.

Signed

CHARLES L. DAVIS,

Captain Tenth Infantry, Brevet Major U. S. Army, Commanding.

ACTION OF HIS BROTHER OFFICERS.

At a meeting of the officers of the garrison of Fort Mackinac, Saturday, April 12, the following memorial resolution was adopted:

‘Since the Almighty Father has, in His omnipotent judgment, seen best to call from us, to his everlasting home, our beloved and honored post commander and brother officer, Brevet Major Edwin E. Sellers, Captain Tenth United States Infantry, we bow our heads in submission to His almighty will.

Though by death he is taken from us for a little while, yet, cherished in our memories, will he ever remain the true friend and noble Christian soldier he was, doing his duty in that sphere of life it had pleased God to call him.

condole with the family and relatives of the deceased, and tender them our heartfelt sympathy in their sad bereavement; and be it further

Resolved, That a copy of these resolutions be sent to the widow of our late commandant, and that copies be furnished for publication to the *Army and Navy Journal*, *St. Ignace Free Press*, *St. Ignace Republican*, *Philadelphia Ledger*, and *Philadelphia Evening Telegraph*.

JOHN DEVLIN,

First Sergeant Co. D, Tenth Infantry, Chairman,

FRANK HEAD,

JOHN W. LAMBERT,

CHARLES J. SCULLIN,

PATRICK McCORMICK,

A. G. SIMMONS,

AUGUST BURKHART,

Committee on Resolutions.'

THE FUNERAL.

Major Sellers was buried with military honors Saturday afternoon, the 12th inst., in the Fort cemetery. The funeral was attended by nearly all citizens. Places of business were closed and flags were at half-mast. The funeral arrangements, under the conduct of Captain Kelton, were perfect. Taps from the bugle at the close of the burial-service was impressive and awoke many a serious thought."

His death is also referred to in the *Army and Navy Journal* of April 12, 1884, and the following is a copy of the regimental order relating thereto :

"HEAD-QUARTERS TENTH U. S. INFANTRY,
FORT WAYNE, MICH., April 12, 1884.

GENERAL ORDERS }
No. 4. }

It becomes the sad duty of the Regimental Commander to announce to the regiment the death of Captain Edwin

E. Sellers, who died suddenly of pneumonia at Fort Mackinac, Michigan, at 10.45 P.M. on the 8th instant.

Captain Sellers entered the service as 2d Lieutenant 10th Infantry, 24th October, 1861; promoted 1st Lieutenant 1st of June, 1863, and Captain, 17th of February, 1864. Was engaged in the siege of Yorktown, battles of Gaines Mill, Malvern Hill, Bull Run, Antietam, action at Blackburn Ford, battles of Fredericksburg, Chancellorsville, and Gettysburg. Had the brevet of 1st Lieutenant for gallant and meritorious services at the battle of Chancellorsville; brevet Captain for gallant and meritorious services at the battle of Gettysburg; brevet Major for gallant and meritorious services during the war. Was Acting Assistant Adjutant-General 2d Brigade, 2d Division 5th Corps, Army of the Potomac, and later held the position of Aide-de-Camp.

Since the war he has served almost continuously with his regiment. Was in command of the Post of Austin, Texas, from 1870 to 1875; of Post of San Antonio, Texas, from 1875 to 1877; of Fort McIntosh, Texas, and of Fort Mackinac, Michigan, from May, 1879, until his death.

Captain Sellers was so well known in the regiment that it seems entirely unnecessary to mention his deserved popularity to those who have been so long associated with him, and who recognized in him—as did all who knew him—a genial, conscientious officer and gentleman, devoted to his profession, thus securing the respect and confidence of his brother officers, and, by his affable and urbane manner, the love of all he came in contact with.

To say that the death of a man possessed of such endearing qualities is a loss to the service and regiment but mildly expresses the sincere sorrow and grief felt by us all, and which can be but extended in true sympathy to the widow and family so suddenly bereft of a loving husband and father.

The officers of the regiment will wear the usual badge of

mourning and the regimental colors will be draped in mourning for thirty days.

BY ORDER OF COLONEL H. B. CLITZ :

J. F. STRETCH,

First Lieutenant, 10th Infantry, Adjutant.

OFFICIAL.

J. F. STRETCH, *Adjutant.*”

The following is one of the tributes to his memory :

“IN MEMORIAM—MAJOR EDWIN E. SELLERS,
DEAD AT FORT MACKINAC, APRIL 8, 1884.

If life were but a volume closed,
And faith in heaven were ne’er reposed,
Then sad it were to hearts disclosed,
Since then the grave all hopes enclosed.
But, Soldier! from the other shore
May gracious greetings tide thee o’er—
Thou wert a soldier to the core :
What faults were thine are thine no more.
So firm of faith! So fit for deeds!
Yet grasp of hand and sword recedes!
And, lost to sight, still memory pleads
The record which a nation reads.
With honors here so bravely won,
May lightly rest the sod upon
Thy manly form! Thy rounds are done!
Farewell, brave son! Earth’s race is run!
Though fighting well when carnage waged,
And in the combat all enraged;
Still, in sweet peace, thy passions caged,
And former foes as friends engaged.
From sullen heights the guns look down;
O’er isle and shore and lake they frown;
And sombrer grows the sombre town,
Since all the air has sombre grown!

Then fare thee well! and last farewells
 From friends; the heart with sorrow swells—
 'Neath sheltering pines the wind now tells
 Where silently a soldier dwells.
 Then sing sweet bird, and murmur pine,
 Where rest the brave in the bright sunshine;
 Where the waters lull, there they recline.
 Hence let our prayer be: 'All are Thine!'

HORATIO CRAIN.

KEY WEST, FLA., April 24, 1884."

On his tombstone in the cemetery of the post of Fort Mackinac is inscribed:

"MAJOR EDWIN E. SELLERS, U. S. ARMY

CAPT. 10TH U. S. INFANTRY

DIED

FORT MACKINAC, APRIL 8TH, 1884

THIS STONE IS ERECTED AS A MARK OF
 AFFECTION

BY THE OFFICERS AND MEN OF
 COMPANIES C AND D

10TH U. S. INFANTRY

HIS LATE COMMAND

*'Blessed is the man to whom the Lord imputeth
 not iniquity, and in whose spirit there is no guile.'*"

The widow of Major Sellers was married to Captain Walter T. Duggan, Sep. 30, 1886, at the Rectory of the Roman Catholic Church of the Holy Angels, Chicago, Illinois, by the Rev. D. A. Tighe; a second ceremony was performed the same day at St. Mark's Protestant Episcopal Church, in the same city, by the Rev. Dr. Fleetwood.

Major Sellers and his wife, Olive Lay Foote, had issue:

60. Edwin Foote, born at Austin, Texas, Feb. 25, 1871; was graduated at Trinity Military

Institute, Tivoli-on-the-Hudson, June, 1889, since which time he has been connected with the Pennsylvania Railroad Company.

61. Robert Foote, born at Austin, Texas, Dec. 25, 1872; died April 16, 1873, at same place; buried at same place temporarily, being reinterred at Military Cemetery, San Antonio, Texas.
62. David Foote, born at Austin, Texas, Feb. 4, 1874; May 21, 1890, appointed a naval cadet from New Mexico; June 5, 1894, detached Naval Academy June 8, and to the "New York," reporting June 25; Apr. 16, 1896, detached and to final examination, being detached Apr. 30, and reporting May 2; May 11, 1896, detached and two months' leave, detached May 21; June 26, 1896, to the "Massachusetts," reported July 25; June 30, 1896, was graduated; July 1, 1896, promoted to Ensign; July 10, 1896, commissioned *ad interim*; Jan. 22, 1897, recommissioned; June 7, 1897, detached June 15, and to the "Essex" as watch and division officer, reported June 18; Mar. 14, 1898, detached and to the "Alliance" as watch and division officer, detached and reported Mar. 19; May 24, 1898, detached and to the receiving ship "Independence," with crew of the "Philadelphia," detached May 25 and reported May 31; June 29, 1898, detached and to the "Philadelphia," detached and reported July 9; July 11, 1898, duty as watch and division officer on the "Philadelphia;" Oct. 18, 1898, detached and to duty as flag secretary, Pacific Station, detached and reported Oct. 23; July, 1, 1899, promoted to lieutenant

(junior grade); July 11, 1899, to examination for promotion; Sep. 12, 1899, commissioned from July 1; Feb. 2, 1900, order of Oct. 18, 1898, modified, clerk to admiral; Feb. 27, 1900, recommissioned from July 1, 1899; Feb. 24, 1900, detached and to temporary duty on the "Iowa;" Mar. 2, 1900, detached and to the "Philadelphia" as watch and division officer; July 3, 1900, detached July 16, home and wait orders; July 21, 1900, to Bureau of Navigation; July 25, reported July 27; Feb. 5, 1901, duty with General Board, Feb. 6; Feb. 14, 1901, detached Feb. 15 and to duty on staff of Rear-Admiral Rodgers on the "New York," detached Feb. 14, and reported Feb. 18; Aug. 13, 1901, examination for promotion, ordered on Asiatic Station; Sep. 2, 1901, promoted to lieutenant; Jan. 20, 1902, commissioned from Sep. 2, 1901; June 28, 1902, appointed flag lieutenant; Dec. 1, 1902, detached, home and wait orders, detached Dec. 4; Jan. 5, 1903, to the Bureau of Navigation Jan. 10, reported Jan. 10.

63. Paulding Foote, born at San Antonio, Texas, Oct. 12, 1876; attended schools of various army posts until 1891; was graduated at Trinity Military Institute, Tivoli-on-the-Hudson, June, 1893; entered the Pennsylvania State College, Sep., 1893, and was graduated in the course of electrical engineering in 1897; accepted position with the Buffalo General Electric Company, Aug., 1897, remaining there one year, when he became connected with the Cataract Power and Conduit Company, remaining there three years,

when he became electrical engineer of the Buffalo General Electric Company.

64. Walter Foote, born at Fort Mackinac, Michigan, Jan. 21, 1880; was graduated at Lawrenceville Academy, N. J., June, 1899; was graduated from Princeton University June 10, 1903, with degree of A.B.

Wampole

I. 1. ADAM WAMBOLD arrived in Pennsylvania in 1736. The place of his birth or the date has not been ascertained. "Colonial Records," Vol. IV, page 58, contains the following reference of his arrival:

"Sep. 1, 1736. Palatines imported in the ship 'Harle,' of London, Ralph Harle Master, from Rotterdam, last from Cowes." In the list appears the names of "Adam Wambolt, Johann Georg Wambolt, and Johan Peter Wambold," possibly brothers. The original spelling of the name was "Wambold," but the more recent form of "Wampole" will be adopted, except in quotations.

Adam Wampole settled in Coventry township, Chester County, Pennsylvania. His will is on file at Philadelphia and is recorded in Liber M, folio 316. It is dated May 27, 1762, and was proved at Philadelphia, June 23, 1762. He is styled as Adam "Wambold," of Coventry township, Chester County, Pennsylvania. To his wife Catherine he leaves one-third of his estate, both real and personal. To his son Frederick he bequeaths one shilling. The balance of his estate is bequeathed equally among his other children, Elizabeth, Mary, Catherine, Ludwick, Elias, Peter, Magdalena, Adam, and George, who were all then under twenty-one years of age. John Gross was named as executor, and the witnesses were Jacob Beery, John Martin, and Godfried Davenhoven.

Adam Wampole and Catherine, his wife, had issue, as indicated:

2. Frederick.

3. Elizabeth.
4. Mary.
5. Catherine.
6. Ludwick.
7. Elias.
8. Peter.
9. Magdalena.
10. Adam.
11. George, whose will is on file at Westchester, Pennsylvania, and recorded in Liber XII, folio 57. He is described as "George Wampole of the township of West Nantmeal, County of Chester and State of Pennsylvania."

The will was dated 1813 and was probated June 5, 1815. He bequeaths small sums to "my brothers Elias Wampole and Adam Wampole," to "my brother Elias' son John Wampole," to "Mary Horn, daughter of my brother Elias," to "Hannah Horn, another daughter of my brother Elias," to "Magdalena Gordon, another daughter of my brother Elias," to "Elias Wampole, the son of the above named John Wampole, and to George Horn, the son of the above named Mary Horn," he bequeaths sums of money, to be paid them as they should arrive at twenty-one years of age. The residue of his estate was bequeathed to "the aforementioned John Wampole, Mary Horn, Hannah Horn, and Magdalena Gordon, children of my brother Elias aforesaid," to be equally divided. He appointed the said John Wampole and Thomas Millard executors. The witnesses were Thomas Roberts and James Ligget. John Wampole renounced.

II. 7. ELIAS WAMPOLE was the son of Adam Wampole (1) and Catherine ——. The date of his birth has not been ascertained. In the "Pennsylvania Archives," Third Edition, Vol. XII, page 116, he appears in a list of the

taxables of Charles township, Chester County, Pennsylvania, for the year 1774, as holding one hundred acres. In the same volume, page 692, he is taxed as of East Caln township, same county. He married Barbara, daughter of John Crey and Barbara ——. John Crey received a warrant for one hundred acres of land in Coventry township, Chester County, April 13, 1749 (Pa. Ar., 3d Ser., Vol. XXIV, p. 68). The records of Old Swedes' Church, Wilmington, Delaware, mention the marriage of John "Gray" to Barbara Boals, May 15, 1738, which may possibly refer to John Crey.

Elias Wampole and Barbara, his wife, had issue, as hereafter appears :

12. John.
13. Barbara, m. Isaac Pawling, Jr.
14. Magdalena, m. ——— Gordon.
15. Hannah, m. Samuel Horn.
16. Elizabeth, m. Joseph Long.
17. Mary, m. David Horn.

III. 12. JOHN WAMPOLE, son of Elias Wampole (7) and Barbara Crey, was born in Chester County, Pennsylvania, 1782. He married Sarah Ann Sailer. She was born in Chester County, Pennsylvania, 1788. He died Sep. 29, 1843. She died Sep. 9, 1864. They are both buried in Monument Cemetery, Philadelphia.

The following conveyance by John Wampole *et al.* is recorded at Westchester, Chester County, Pa., in Liber O, No. 3, Vol. 62, folio 387 :

"To all people to whom these presents shall come John Wampole of the Township of Brandywine, in the County of Chester, and State of Pennsylvania, Yeoman, and Sarah his wife, Isaac Pawling, Junior, of the Township of West Nantmeal in the County and state aforesaid, Yeoman, and Barbara his wife (late Barbara Wampole), Magdalena Gor-

don of the Township of East Nantmeal, in the County of Chester (late Magdalena Wampole), Samuel Horn of the Township of East Nantmeal, in the County and state aforesaid, Yeoman, and Hannah his wife (late Hannah Wampole), Joseph Long of the Township of Heidelberg in the County of Lebanon and state aforesaid, Yeoman, and Elizabeth his wife (late Elizabeth Wampole), David Horn of the Township of Earl in the County of Lancaster and state aforesaid, Yeoman, and Mary his wife (late Mary Wampole,), which said John, Barbara, Magdalena, Hannah, Elizabeth and Mary are the children and sole heirs of Elias Wampole, late of the Township of Brandywine in the County of Chester aforesaid, deceased, and Barbara his wife (late Barbara Crey), also deceased, which said Barbara was a daughter of John Crey, late of the Township of Coventry in the County of Chester aforesaid, yeoman, deceased, send greeting. Whereas in pursuance of a warrant dated the twenty third day of July Anno Domini one thousand seven hundred and thirty seven granted unto Johannes Flickecken which was vacated on the thirteenth day of April Anno Domini one thousand seven hundred and forty nine and granted unto John Crey there was surveyed unto the said John Crey a certain tract of land situate in Coventry Township, Chester County bounded by lands of Michael Holdeman, Andrew Parks, Matthias Swisher Ulerick Longenecker and John Swisher, Containing upwards of one hundred acres of land as by the said warrant granted unto the said John Crey and survey remaining in the surveyor Generals Office may more fully appear. By force and virtue of which said recited warrant and survey the said John Crey became lawfully seized of and in the said recited tract of land with the appurtenances and being so thereof seized died intestate leaving issue two daughters to wit Mary the wife of Jacob Ecker and Barbara the wife of Elias Wampole unto whom the same by the laws of Pennsylvania relating to intestates'

estates did descend and come. And whereas the said Mary the wife of the said Jacob Ecker, since dec'd, Intestate without leaving any issue. And the said Barbara the wife of the said Elias Wampole who since also died, intestate but leaving issue six children, to wit, the said John Wampole, Barbara the wife of Isaac Pawling, Junior, Magdalena Gordon, Hannah the wife of Samuel Horn, Elizabeth the wife of Joseph Long and Mary the wife of David Horn unto whom the same by the laws of Pennsylvania, relating to intestates estates did descend and come. The said Elias Wampole and Barbara his wife having previously by an instrument of writing granted and conveyed one moiety or undivided half part of and in the above recited tract of land with the appurtenances unto the said Jacob Ecker in fee. But for as much that the said Instrument of writing is mislaid, Know ye that the said John Wampole (*et al.*) . . . hath granted . . . unto the said Jacob Ecker and to his heirs and assigns, All that, messuage or tenements and tract of land above recited. . . . In witness whereof the said John Wampole and Sarah his wife, Isaac Pawling, Junior and Barbara his wife Magdalena Gordon, Samuel Horn and Hannah his wife, Joseph Long, and Elizabeth his wife and David Horn and Mary his wife to these presents have hereunto interchangeably, set their hands and seals, the twenty eighth day of June in the year of our Lord one thousand eight hundred and seventeen.

Recorded September 29, 1817."

John Wampole and Sarah Ann, his wife, had issue :

18. John.

19. Elias, m. Catharine Laboucherie; he was consul at Laguyra under the administration of President Lincoln; d. at Porto Cabello in 1863, and was buried there. His wife died Sep. 14, 1868, and was buried at Trenton, N. J. They left issue.

20. George, m. Catharine Hey; he d. at Chicago, Ill., 1881.
21. Oliver.
22. Howard.
23. Silas, m. Elizabeth Tiel, of Bordentown, N. J.; he d. July 31, 1884. She d. May, 1879.
24. Barbara Ann, m. Samuel Sellers.
25. Sarah, m. Edward Snyder.
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